

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SIXTEENTH LEGISLATURE

SECOND REGULAR SESSION

January 5, 1994 to April 14, 1994

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 14, 1994

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1993

4. Report. The Maine Medicare Volume Performance Standard Demonstration Project shall report on the project to the joint standing committee of the Legislature having jurisdiction over human resource matters on or before January 1, 1995 and at the conclusion of the project.

See title page for effective date.

CHAPTER 53

H.P. 1317 - L.D. 1779

Resolve, to Designate Route 196 through Lisbon in Memory of Staff Sergeant Thomas Field

Sec. 1. Naming Route 196 in Lisbon.
Resolved: That Route 196 through the town limits of Lisbon be named "The Staff Sergeant Thomas Field Memorial Highway" in memory of Staff Sergeant Thomas Field who recently gave his life in the service to his country.

See title page for effective date.

CHAPTER 54

H.P. 1298 - L.D. 1753

Resolve, to Extend the Reporting Date of the Healthy Start Task Force Report

Emergency preamble. Whereas, Acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, Resolve 1993, chapter 25, established the Healthy Start Task Force, and directed that appointments be made by July 9, 1993; and

Whereas, appointments to the task force were not completed until September 29, 1993 and the task force was not able to meet until October 8, 1993; and

Whereas, the charge of the task force as presented in Resolve 1993, chapter 25, requires taking inventory of existing services, determining which services need to be developed or expanded and integrating all the existing, new and expanded services into a statewide program that can not be accomplished in a short period of time; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preserva-

tion of the public peace, health and safety; now, therefore, be it

Sec. 1. Resolve 1993, c. 25, §1, amended.

Resolved: That Resolve 1993, c. 25, §1 is amended to read:

Sec. 1. Task force created and charged.

Resolved: That there is created the Healthy Start Task Force, referred to in this resolve as the "task force," which is directed to formulate a plan for implementation of a model Healthy Start home visitation program. The task force shall produce a detailed implementation plan for presentation to the Joint Standing Committee on Human Resources by ~~November 1, 1993~~ December 15, 1994. The task force plan and report must contain findings, recommendations and any necessary implementing legislation; and be it further

; and be it further

Sec. 2. Resolve 1993, c. 25, §9, amended.

Resolved: That Resolve 1993, c. 25, §9 is amended to read:

Sec. 9. Interim report; report. Resolved:

That the task force shall present an interim report to the Joint Standing Committee on Human Resources no later than April 1, 1994 and submit its report and plan, along with any necessary implementing legislation, to the ~~Second First~~ Second First Regular Session of the ~~116th~~ 117th Legislature no later than ~~November 1, 1993~~ December 15, 1994; and be it further

Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective March 18, 1994.

CHAPTER 55

H.P. 1357 - L.D. 1832

Resolve, to Conduct a Study on Improving Access to the Maine Technical College System

Sec. 1. Technical College System to conduct a study. Resolved: That the Maine Technical College System is authorized and directed to conduct a follow-up study to the 1991 report by the Commission to Review the Capacity of the Maine Technical College System. The study must provide specific recommendations for legislation and changes in administrative policies and must specifically review:

1. Deficiencies in the curriculum of the technical colleges;
2. Deficiencies in funding and equipment at the technical colleges generally and within specific courses and programs;
3. Locations of technical colleges and the possible need for new colleges; and
4. Other deficiencies and factors that result in long lists of students awaiting admission to the colleges; and be it further

Sec. 2. Study to be overseen by a committee. Resolved: That the study required in section 1 of this resolve must be overseen by a committee of 5 persons staffed by technical college personnel. The committee, known as the Technical College Study Committee, consists of the following:

1. One member appointed by the Governor;
2. One member appointed by the President of the Senate;
3. One member appointed by the Speaker of the House of Representatives;
4. One member appointed by the President of the Maine Technical College System; and
5. One member who is chosen by the other 4 committee members and is the chair of the committee; and be it further

Sec. 3. Reimbursement. Resolved: That members of the Technical College Study Committee may be compensated for their expenses by the Maine Technical College System. General Fund revenues may not be expended to support the work of the committee; and be it further

Sec. 4. Report completed. Resolved: That the Technical College Study Committee shall submit its report, including any necessary legislation, to the First Regular Session of the 117th Legislature and the Governor no later than November 1, 1994.

See title page for effective date.

CHAPTER 56

S.P. 486 - L.D. 1497

Resolve, to Require Further Information from the Department of Mental Health and Mental Retardation about the Plan for

Persons in the Criminal Justice System

Whereas, over the past several years, the movement to deinstitutionalize patients from mental hospitals has resulted in the release of patients from the Augusta Mental Health Institute and the Bangor Mental Health Institute; and

Whereas, sufficient alternative community treatment and living facilities for persons released from those state institutions do not exist; and

Whereas, in the absence of adequate community treatment resources, many persons with mental illness, mental retardation and head injury have become prisoners in county jails; and

Whereas, it is essential to establish interdisciplinary teams for evaluation, to create a forensic holding unit and to develop dispositional alternatives in an effort to prevent inappropriate incarceration; and

Whereas, the Department of Mental Health and Mental Retardation's document, "Recommendations and Report of the Task Force on Persons with Mental Disorders Involved with the Criminal Justice System," does not address all the issues posed in this resolve and does not supply funding information; now, therefore, be it

Sec. 1. Forensic holding unit; evaluation; assessment. Resolved: That the Department of Mental Health and Mental Retardation and the Department of Corrections shall jointly develop a proposal to create a secure forensic holding unit for prisoners, staffed by an interdisciplinary team of representatives from both departments and including psychiatric health care professionals. Under the proposal, the forensic holding unit must have sufficient personnel and equipment to fully evaluate prisoners for mental illness, mental retardation and head injury; and be it further

Sec. 2. Alternatives to incarceration. Resolved: That the Department of Mental Health and Mental Retardation and the Department of Corrections shall review the current availability of community treatment resources and alternatives to incarceration and shall develop a proposal for dispositional alternatives that judges may use in sentencing persons who, based on forensic reports, have mental illness, mental retardation or head injury; and be it further

Sec. 3. Submission of proposals. Resolved: That the Department of Mental Health and Mental Retardation and the Department of Corrections shall submit proposals, along with any necessary implementing legislation, to the Joint Standing