

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND SEVENTEENTH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**November 28, 1995 to December 1, 1995**

**SECOND REGULAR SESSION**  
**January 3, 1996 to April 4, 1996**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 4, 1996**

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

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1995**

Legislature having jurisdiction over criminal justice matters no later than November 1, 1996.

**Sec. C-2. Development limitation; report from Commissioner of Human Services.**

Development of family care homes by the Department of Human Services is limited to 20 homes in which the cost of resident housing and care is reimbursed by the department and 20 homes in which the cost of resident housing and care is paid for with private funds. By January 1, 1997 the Commissioner of Human Services shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters on the experience and progress of the department in developing adult family care homes.

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

Effective April 11, 1996.

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**CHAPTER 697**

**H.P. 1284 - L.D. 1764**

**An Act to Ensure the Proper and Humane Care of Persons Requiring Mental Health Services**

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

**Whereas,** the discussion concerning closure of state mental health institutions is ongoing; and

**Whereas,** unless this legislation is enacted as an emergency measure, the continuation of or access to necessary mental health services for those persons requiring such services is in jeopardy; 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 preservation of the public peace, health and safety; now, therefore,

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 34-B MRSA §3009** is enacted to read:

**§3009. Access to mental health services**

Any money that is identified as net General Fund savings through legislative actions or through departmental administrative actions due to the closure of or diminution of services at a state mental health

institution or to lowered administrative costs within the department must be used to provide mental health services to persons in need of those services in other appropriate settings and programs, including, but not limited to, community-based mental health programs. For the purposes of this section, "net General Fund savings" means total savings in the General Fund projected to be available due to a series of specific actions less any cost or liability resulting from implementing those actions.

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

Effective April 11, 1996.

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**CHAPTER 698**

**S.P. 704 - L.D. 1793**

**An Act to Extend the Electric Rate Stabilization Projects**

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

**Whereas,** pursuant to current legislation, certificates of approval for electric rate stabilization projects may not be issued after February 1, 1996; and

**Whereas,** there continues to be a need for the approval of electric rate stabilization projects; 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 preservation of the public peace, health and safety; now, therefore,

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 35-A MRSA §3156, last ¶,** as amended by PL 1995, c. 120, §2 and affected by §5, is further amended to read:

A certificate may not be issued under this section after February 1, ~~1996~~ 1997.

**Sec. 2. PL 1993, c. 712, §8,** as amended by PL 1995, c. 120, §3 and affected by §5, is further amended to read:

**Sec. 8. Loans authorized.** The Finance Authority of Maine may make loans to electric utilities for electric rate stabilization projects, as defined in the Maine Revised Statutes, Title 10, section 963-A from up to \$220,000,000 of the proceeds of revenue