

# MAINE STATE LEGISLATURE

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1445

AN ACT TO ALLOW RETAILERS TO  
SELL PRISON MADE ITEMS

Rep. Manning

OTP  
HSE-EMER. ENACT.  
SEN-EMER. ENACT.  
GOV-EMER. SIGNED  
PL 83, c. 341

SUMMARY: The bill amended current law to allow articles produced at the Maine State Prison to be sold to retailers for their resale.

Since there was already a substantial inventory at the prison store, fewer inmates had been working producing items. The prison did not want to set up other outlets, which would compete with area merchants, and preferred this indirect approach.

A House Amendment (H-22) would have required that those producing the articles have paid appropriate taxes, and that information on their earnings had been given to the Department of Human Services. The amendment was not adopted; its provisions had been incorporated into the substantive legislation offered by the Department of Corrections amending Title 34-A (LD 1779).

1451

AN ACT TO TRANSFER TO THE  
DEPARTMENT OF MENTAL HEALTH  
AND MENTAL RETARDATION CERTAIN  
PROGRAM AND FUNCTION AUTHORITY  
AND SERVICES TO THE MENTALLY  
RETARDED

Rep. Lisnik

LV/WD  
HSE-ACCP LV/WD  
SEN-ACCP LV/WD

SUMMARY: The bill was described as enabling legislation, allowing some programs for the mentally retarded currently administered by the Department of Human Services to be administered by the Department of Mental Health and Mental Retardation after July 1, 1984. It required the two departments to sign contracts and develop legislation and rules to carry out the bill's intent. There would be no transfer of funding, and DHS would remain as the Medicaid agency.

The Governor's office expressed concern about the split of the administration and the funding of the programs between two different departments, and suggested instead an Executive Order to study the problem. There was also concern that the shift would conflict with Federal Medicaid regulations, and whether it would be possible to obtain a waiver.

The resolution was an Executive Order, ordering both departments, providers of services through ICF-MRs and others to work on new recommendations for changes in departmental functions and their compliance with existing Federal laws and regulations. Progress reports are due August 1 and October 1, and a final report to the Governor is due December 1, 1983.