

# MAINE STATE LEGISLATURE

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1764 AN ACT TO REVISE THE  
GENERAL ASSISTANCE LAWS

Sen. Carpenter

HSE-ENACT.  
SEN-ENACT.  
GOV-SIGNED  
PL 83, c. 577

**SUMMARY:** The new draft, replacing LD 554 and other bills involving general assistance, retained the reorganization of the statutes and incorporated many new definitions.

Every municipality must establish a general assistance program, through ordinance. Municipalities are authorized to establish standards for eligibility, including work requirements and use of available resources, but need remains the sole criterion on the first application. District offices may be established by several municipalities, but they must be accessible by a toll-free telephone call, and open for a specific period; local offices must post the times they are open to take applications.

The Department of Human Services is to have copies of all municipal ordinances, reimburse municipalities with general assistance costs above .0003 of the municipality's 1981 valuation (unchanged formula), as long as claims are submitted within 90 days and provide information to municipalities on applicants. In addition, the Department is to review ordinances annually and review programs "regularly" and in response to complaints, assist municipalities in administration of the program, and to penalize municipalities which do not correct violations of provisions of the law. Finally, the Department is to report to the 1st Regular Session of the 112th Legislature.

A Senate Amendment (S-212) corrected some technical errors.

1776 AN ACT TO AMEND THE STATUTES  
REGARDING MENTAL HEALTH AND  
MENTAL RETARDATION

Rep. Nelson

OTP  
HSE-ENACT.  
SEN-ENACT.  
GOV-SIGNED  
PL 83, c. 580

**SUMMARY:** This bill was generally referred to as the "substantive Amendments for Mental Health and Mental Retardation" to the recodification of Title 34.

The amendments could not be printed as a bill until LD 832 had been signed by the Governor, but they were presented to the Committee at public meetings, and discussed through various work sessions. The Committee voted that the proposed amendments ought to pass, but the printed bill was engrossed without reference to a Committee. It is effective on January 16, 1984, one day after the recodification bill (LD 832).

Among the major provisions: allowing disclosure of confidential information to the Department of Human Services, if in connection with public guardianship; establishing the Office of Community Support Systems; removing the causal link between a person's mental retardation and their behavior as a basis for judicial commitment,

and establishing the procedures for judicial commitment; requiring that voluntary patients at a mental health hospital be given an examination before they leave; allowing the department to have a comprehensive evaluation performed by a licensed psychologist or physician, rather than the interdisciplinary team, and to develop either a service plan or a prescriptive program plan; improving the licensure process; and conforming the statutes on judicial certification and recertification to judicial practice.

1779 AN ACT TO AMEND THE STATUTES  
REGARDING CORRECTIONS

Rep. Manning

OIP  
HSE-ENACT.  
SEN-ENACT.  
GOV-SIGNED  
PL 83, c. 581

**SUMMARY:** This document was never referred to the Committee as a bill, but as the so-called "Substantive Amendments for Corrections" to LD 832, it had had a public discussion and numerous work sessions within the Committee. After numerous changes proposed by Committee members, the Department of Corrections and others, the Committee voted "Ought to Pass." After the Governor had signed LD 832, the bill was printed.

It is effective on January 16, 1984, one day after the recodification (LD 832).

Among the major provisions: making all commitments to the Department of Corrections, not to a particular institution; transferring duties relating to jails from Title 34-A to Title 30, but establishing standards for county and municipal facilities; modifying former provisions on inmates' accounts and property; broadening the Commissioner's power to grant deathbed visits, authorize work by inmates for charitable, non-profit organizations, pay a gratuity or transportation to paroled or discharged inmates, and review provisions for medical treatment; modifying former provisions or transfer of inmates among state facilities, and between state and federal facilities; establishing a prison industries program at the Maine Correctional Center; enabling the Department of Corrections to set up programs and a facility for mentally-retarded offenders, in consultation with the Department of Mental Health and Mental Retardation.

Numerous amendments to the bill were proposed; only 3 were adopted. Not adopted were amendments to add an additional criterion justifying transfer (H-421), requiring segregation to be discontinued if a physician stated it was harmful to the inmate's mental or physical health (H-419), restoring a provision to allow a "good time" deduction for blood donations (H-417), deleting provisions that funds received from boarding inmates would accrue to the boarding facility, and that revenues from the MCC industries program would accrue to MCC, adding a fiscal note for the establishment and operating costs of the MR facility (S-266), and making the establishment of an industries program permissive, deleting the provision about funds for boarding prisoners, deleting the section on