GOVERNOR'S
VETO
OVERRIDDEN

CHAPTER

452

APRIL 11, 2016

PUBLIC LAW

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND AND SIXTEEN

H.P. 652 - L.D. 949

An Act To Enact the Recommendations of the Commission on Independent Living and Disability

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

Sec. 1. 5 MRSA §19505, sub-§3, as enacted by PL 1989, c. 837, §1, is amended to read:

3. Pursuit of remedies. The agency may pursue administrative, legal and other appropriate remedies on behalf of persons with disabilities. The agency has standing to file a civil action for alleged violations of chapter 337, subchapter 5 in Superior Court. Notwithstanding section 4622, subsection 1, the agency may be awarded reasonable attorney's fees and costs as provided in section 4614.

Sec. 2. 26 MRSA §1412-I is enacted to read:

§1412-I. Strategic planning report

1. Annual report. In addition to its existing duties, the Statewide Independent Living Council, established pursuant to 29 United States Code, Sections 796 to 796f (1999) and administered by the Bureau of Rehabilitation Services, shall, beginning January 15, 2017, provide an annual report to the joint standing committee of the Legislature having jurisdiction over health and human services matters and the joint standing committee of the Legislature having jurisdiction over labor and economic development matters on the State's strategic planning efforts related to the ability of persons with disabilities to live independently, including but not limited to:

A. Efforts to increase opportunities for persons with disabilities to live independently within the community;

B. The effectiveness and coordination of programs and services designed to support independent living efforts;

C. Efforts to improve vocational rehabilitation outcomes and efficiency in the development of individualized plans of employment with individuals eligible to receive rehabilitation services;

D. Efforts to improve transition planning for students with disabilities by adding independent living assessments and strategies to prepare for postsecondary education;

E. Efforts to ensure that new public buildings and public accommodations are accessible by persons with disabilities and to encourage the adoption of building codes that meet the most recent federal Americans with Disabilities Act of 1990 accessibility guidelines;

F. Efforts to increase awareness of all available housing that is accessible and usable by persons with disabilities; and

G. Any recommendations for improvement in the delivery of services to persons with disabilities.

Sec. 3. Statewide Independent Living Council to convene a working group; develop statewide transportation voucher program. The Statewide Independent Living Council, established pursuant to 29 United States Code, Sections 796 to 796f and administered by the Department of Labor, Bureau of Rehabilitation Services, shall convene a working group to develop a proposal for a statewide transportation voucher program for persons with disabilities. Members of the working group must include representatives from the Department of Transportation, the Department of Health and Human Services, the Department of Labor and a statewide agency administering centers for independent living. The working group shall examine the flexibility of federal funding and matching funds sources, consult with the University of Montana Research and Training Center on Disability in Rural Communities for assistance in developing the proposal and submit its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over transportation matters, the joint standing committee of the Legislature having jurisdiction over health and human services matters and the joint standing committee of the Legislature having jurisdiction over labor, commerce, research and economic development matters no later than December 15, 2016. The joint standing committee of the Legislature having jurisdiction over health and human services matters may report out a bill regarding this subject matter to the First Regular Session of the 128th Legislature.