

Annotated Code of Maryland (1972 Replacement Volume and 1974 Supplement) be and they are hereby repealed and re-enacted, with amendments, to read as follows:

Article 59A - Mental Retardation

26.

(b) The Department shall specify the time and amount of payments. It may from time to time, modify its orders as to payments, as circumstances may warrant. In setting the amounts of payments, the Department shall consider the financial means or abilities of the mentally retarded person and responsible relatives or guardian, and may agree to accept less than the [per capita cost of care] CHARGES ESTABLISHED.

THE SECRETARY OF HEALTH AND MENTAL HYGIENE, THE STATE COMPTROLLER AND THE SECRETARY OF BUDGET AND FISCAL PLANNING SHALL AT LEAST ANNUALLY ADOPT A SCHEDULE OF CHARGES FOR SERVICES RENDERED TO MENTALLY RETARDED PERSONS UNDER THE PROVISIONS OF THIS ARTICLE.

(c) The Department may, when appropriate, set the rate of payments retroactively, for a period of not more than [six] 12 months. The retroactivity may be set for a greater period if the retarded person, his responsible relatives, personal representative or other person having financial information relative to the mentally retarded person has failed or refused to disclose such information to the Department.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act is hereby declared to be an emergency measure and necessary for the immediate preservation of the public health and safety and having been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, the same shall take effect from the date of its passage.

Approved April 8, 1975.

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CHAPTER 157

(Senate Bill 863)

AN ACT concerning

Commercial Net Fishing License - Fees and Quantities.