

(3) WHERE ANY MANUFACTURE OR HANDIWORK IS CARRIED ON;

(4) WHICH, EXCEPT FOR ITS STAFF, EMPLOYS ONLY MENTALLY RETARDED OR PHYSICALLY HANDICAPPED PERSONS; AND

(5) IS OPERATED FOR THE PRINCIPAL PURPOSES OF:

(I) PROVIDING SUITABLE WORK, TRAINING OR RETRAINING FOR WORK FOR PERSONS WHO, BECAUSE OF A DISABILITY, CANNOT FIND TRAINING, RETRAINING, OR REMUNERATIVE WORK ELSEWHERE; OR

(II) PROVIDING GAINFUL EMPLOYMENT TO SEVERELY DISABLED OR MENTALLY RETARDED PERSONS.

[[39. PURPOSE.

THE CONDITION OF MANY DISABILITIES IS SUCH THAT MANY PERSONS, AFTER TRAINING, REACH THE POINT WHERE THEY CAN AND SHOULD, UNDER PROPER AND CONTINUED GUIDANCE, ENGAGE IN SHELTERED EMPLOYMENT. THE EFFECTS OF THIS EMPLOYMENT ARE SALUTARY. THE AFFECTED INDIVIDUAL IS HELPED TO BECOME A CONTRIBUTING MEMBER OF SOCIETY. THE STATE IS OFTEN SAVED THE EXPENSE OF INSTITUTIONALIZING THE AFFECTED INDIVIDUAL. THE FAMILY RETAINS CLOSER CONTACT WITH THE AFFECTED INDIVIDUAL AND IS SPARED THE ANXIETIES ATTACHED TO SEPARATION AND INSTITUTIONALIZATION. THE PURPOSE OF THIS SUBTITLE IS TO ENCOURAGE THE DEVELOPMENT, IMPROVEMENT, AND EXPANSION OF SHELTERED EMPLOYMENT FACILITIES BY PRIVATE NONPROFIT AGENCIES, SO THAT THE SALUTARY EFFECTS MENTIONED CAN BE ACCOMPLISHED. ]]

[[40. ]] [[39]] 141B. ADMINISTRATIVE RESPONSIBILITY.

GENERAL JURISDICTION WITH REGARD TO ADMINISTRATION AND SUPERVISION OF THIS PROGRAM OF SHELTERED WORKSHOP EMPLOYMENT IS VESTED IN THE [[DIVISION]] [[MENTAL RETARDATION ADMINISTRATION OF THE STATE DEPARTMENT OF HEALTH AND MENTAL HYGIENE]] DIVISION.

[[41. ]] [[40]] 141C. SHELTERED EMPLOYMENT.

(A) THE DIVISION MAY CONTRACT WITH THE APPROVED PRIVATE NONPROFIT AGENCY OR ORGANIZATION FOR THE FURNISHING OF EXTENDED SHELTERED EMPLOYMENT TO THE DISABLED PERSON WHEN IT APPEARS TO THE SATISFACTION OF THE DIVISION THAT A DISABLED PERSON:

(1) IS 17 YEARS OLD OR OLDER;

(2) IS INCAPABLE OF COMPETING IN THE OPEN LABOR MARKET; AND