

MAINE STATE LEGISLATURE

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HEALTH AND HUMAN SERVICES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 431, L.D. 581, "Resolve, to Establish the Commission to Determine the Adequacy of Services to Persons with Mental Retardation"

Amend the resolve by striking out all of sections 1 to 8 and inserting in their place the following:

Sec. 1. Commission established. Resolved: That the Commission to Determine the Adequacy of Services to Persons with Mental Retardation, referred to in this resolve as the "commission," is established; and be it further

Sec. 2. Commission membership. Resolved: That the commission consists of 17 members as follows:

1. One member of the Senate and 2 members of the House of Representatives, of whom one member must be from the Joint Standing Committee on Health and Human Services and one member must be from the minority political party, all of whom are appointed jointly by the President of the Senate and the Speaker of the House of Representatives;

2. Two persons with mental retardation and 2 persons with mental retardation or family members of persons with mental retardation, appointed jointly by the President of the Senate and the Speaker of the House of Representatives from lists submitted by the Maine Developmental Disabilities Council, the Interdepartmental Committee on Transition, the Consumer Advisory Board and Speaking up for Us;

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2 3. Four representatives of the provider community, 3
4 appointed jointly by the President of the Senate and the Speaker
of the House of Representatives from lists submitted by the Maine
6 Association of Rehabilitation Services and the American Network
of Community Options and Resources and one provider of services
8 in a solely owned foster home appointed by the Governor from
nominations submitted to the Governor;

10 4. One representative of the Department of Mental Health,
Mental Retardation and Substance Abuse Services, appointed by the
12 Commissioner of Mental Health, Mental Retardation and Substance
Abuse Services;

14 5. One representative of the Department of Human Services,
16 appointed by the Commissioner of Human Services;

18 6. One representative of the Department of Education,
appointed by the Commissioner of Education;

20 7. One representative of the Interdepartmental Committee on
22 Transition, appointed by the chair of the committee;

24 8. One independent human resources expert from the private
sector, appointed by the Governor; and

26 9. One member of the public appointed by the Governor from
28 nominations submitted to the Governor; and be it further

30 **Sec. 3. Convening of commission. Resolved:** That all
32 appointments to the commission must be made no later than 30 days
after the effective date of this resolve. The Chair of the
34 Legislative Council shall call the first meeting of the
commission within 14 days after all appointments are made. The
36 first meeting must be held by August 1, 1997. The commission
shall elect a chair from among its members; and be it further

38 **Sec. 4. Duties. Resolved:** That the commission shall study and
report recommendations on each of the following issues:

40 1. The adequacy of mental retardation services for persons
42 who are and are not covered by the community consent decree; and

44 2. The allocation of existing resources, the prioritization
of needs, the existing resource delivery system and the
46 recruitment, training, retention and compensation of personnel;
and be it further

48 **Sec. 5. Public participation; activities. Resolved:** That the
50 commission shall hold at least 2 public hearings in different

COMMITTEE AMENDMENT

2 geographic areas of the State and give public notice of the
hearings in order to solicit public participation and comment.
4 The commission may undertake other hearings, presentations or
analyses it determines useful; and be it further

6 **Sec. 6. Report. Resolved:** That the commission shall prepare a
written report of its findings and recommendations and submit its
8 report, together with any necessary implementing legislation, by
December 1, 1997. If the commission requires an extension, it
10 may apply to the Legislative Council, which may grant the
extension; and be it further

12 **Sec. 7. Staff assistance. Resolved:** That the commission may
14 request staffing assistance from the Legislative Council; and be
it further

16 **Sec. 8. Reimbursement. Resolved:** That the task force members
18 are entitled to receive the legislative per diem, as defined in
the Maine Revised Statutes, Title 3, section 2, for each day's
20 attendance at meetings of the task force and reimbursement for
travel and other necessary expenses upon application to the
22 Legislative Council. The Executive Director of the Legislative
Council shall administer the task force's budget; and be it
24 further

26 **Sec. 9. Appropriation. Resolved:** That the following funds are
appropriated from the General Fund to carry out the purposes of
28 this resolve.

30 1997-98

32 **LEGISLATURE**

34 **Commission to Determine the Adequacy of
Services to Persons with Mental Retardation**

36		
38	Personal Services	\$3,850
	All Other	6,000
40	Total	<u>\$9,850</u>

42 Provides funds for the per diem and expenses
of members, public hearing costs and
44 miscellaneous expenses, including travel, of
the Commission to Determine the Adequacy of
46 Services to Persons with Mental Retardation.'

48 Further amend the resolve by inserting at the end before the
summary the following:

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FISCAL NOTE

1997-98

APPROPRIATIONS/ALLOCATIONS

General Fund \$9,850

The Legislature will require a General Fund appropriation of \$9,850 in fiscal year 1997-98 for the per diem and expenses of members, public hearing expenses and miscellaneous costs of the Commission to Determine the Adequacy of Services to Persons with Mental Retardation. The Legislature will incur some additional costs to provide staffing assistance to the commission. These costs can be absorbed within the Legislature's existing budgeted resources.

The additional costs associated with participating as a member of the commission can be absorbed by the Department of Human Services, The Department of Education and the Department of Mental Health, Mental Retardation and Substance Abuse Services utilizing existing budgeted resources.'

SUMMARY

This amendment changes the appointment procedure and membership of the Commission to Determine the Adequacy of Services to Persons with Mental Retardation. It changes the report date to December 1, 1997 and provides reimbursement for mileage. It also adds an appropriation section and a fiscal note.