

MAINE STATE LEGISLATURE

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RWS

L.D. 787

DATE: 4-9-97

(Filing No. H-173)

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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. 596, L.D. 787, Bill, "An Act to Provide Services for Children in Need of Supervision"

Amend the bill by striking out the title and substituting the following:

'Resolve, to Establish the Task Force on Youth and Families'

Further amend the bill by striking out everything after the title and before the summary and inserting in its place the following:

'Emergency preamble. Whereas, Acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the needs of families and youth who are at risk require that the Task Force on Youth and Families begin work immediately so that a report may be completed by December 1, 1997; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Task force established. Resolved: That the Task Force on Youth and Families, referred to in this resolve as the "task force," is established to study the needs of families and youth who are at risk and to plan for the delivery of services by state departments or other entities under contract with them in a manner that addresses those needs; and be it further

COMMITTEE AMENDMENT

2 **Sec. 2. Membership. Resolved:** That the task force consists of
16 members appointed jointly by the President of the Senate and
4 the Speaker of the House of Representatives as follows:

6 1. Three members of the Joint Standing Committee on Health
and Human Services, one member of the Joint Standing Committee on
8 Criminal Justice, one member of the Joint Standing Committee on
Education and Cultural Affairs and one member of the Joint
10 Standing Committee on Judiciary, including representatives of the
majority and minority parties;

12 2. Three members of the public selected from applicants for
14 task force membership;

16 3. Two consumers of services provided to youth and families
selected from applicants for task force membership, one
18 representing the interests of youth and one representing the
interests of families;

20 4. Two providers of services to youth and families at the
22 community level selected from applicants for task force
membership, one representing the interests of youth and one
24 representing the interests of families;

26 5. Two representatives of groups advocating for youth and
families selected from applicants for task force membership, one
28 representing the interests of youth and one representing the
interests of families; and

30 6. One representative of the Maine Chiefs of Police
32 Association.

34 The task force includes in an advisory capacity
representatives of the Department of Corrections, the Department
36 of Education, the Department of Human Services, the Department of
Mental Health, Mental Retardation and Substance Abuse Services
38 and the Department of Public Safety; and be it further

40 **Sec. 3. Appointments. Resolved:** That all appointments must be
made no later than 30 days following the effective date of this
42 resolve. The appointing authorities shall notify the Executive
Director of the Legislative Council upon making their
44 appointments. When the appointment of all members is complete,
the Chair of the Legislative Council shall call and convene the
46 first meeting of the task force, which must be no later August 1,
1997. The task force shall select a chair from among its
48 legislative members. Meetings must occur once a month in August
and September and every 3 weeks during October and November; and
50 be it further

2 **Sec. 4. Duties. Resolved:** That the task force shall study the
3 need for services, supervision, treatment and residential
4 placements for youths who are at risk and for their families. In
5 examining these issues, the task force shall work with the
6 following state departments: the Department of Corrections, the
7 Department of Education, the Department of Human Services, the
8 Department of Mental Health, Mental Retardation and Substance
9 Abuse Services and the Department of Public Safety. The task
10 force shall focus on the following:

12 1. Defining the population requiring services and reporting
13 on the size of that population and the extent to which that
14 population is and is not now receiving those services;

16 2. Calculating the cost to establish a system to provide
17 adequate services to these youths and their families;

18 3. Defining the need for and calculating the cost of
19 providing services for children with severe emotional
20 disturbances, disabilities and special needs, including
21 treatment, residential and educational services;

24 4. Planning for increased pooling of funding among the
25 state departments serving these youths and their families;

26 5. Defining the legal relationships among youths, their
27 families and the State when services are accepted voluntarily by
28 the youths and their families and when services are not
29 voluntarily accepted;

32 6. Recommending statutory and rule changes required to
33 address confidentiality requirements when multiple state
34 departments are working with the same youths and families;

36 7. Defining the procedures by which families and the State
37 may seek to provide services to youths who do not accept those
38 services voluntarily; and

40 8. Establishing a permanent structure to oversee and make
41 recommendations for service delivery and coordination among state
42 departments; and be it further

44 **Sec. 5. Staff assistance. Resolved:** That the task force shall
45 request staffing and clerical assistance from the Legislative
46 Council; and be it further

48 **Sec. 6. Reimbursement. Resolved:** That the task force members
49 are entitled to receive the legislative per diem, as defined in
50 the Maine Revised Statutes, Title 3, section 2, for

each day's attendance at meetings of the task force and reimbursement for travel and other necessary expenses, upon application to the Legislative Council. The Executive Director of the Legislative Council shall administer the task force's budget; and be it further

Sec. 7. Report. Resolved: That the task force shall submit its report with any accompanying legislation to the Joint Standing Committee on Health and Human Services of the 118th Legislature by December 1, 1997; and be it further

Sec. 8. Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

1997-98

LEGISLATURE

Task Force on Youth and Families

| | |
|-------------------|----------------|
| Personal Services | \$4,400 |
| All Other | 4,500 |
| TOTAL | \$8,900 |

Provides funds for the per diem and expenses of members and for miscellaneous costs, including printing, of the Task Force on Youth and Families.

Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.'

Further amend the bill by inserting at the end before the summary the following:

FISCAL NOTE

1997-98

APPROPRIATIONS/ALLOCATIONS

| | |
|--------------|---------|
| General Fund | \$8,900 |
|--------------|---------|

The Legislature will require a General Fund appropriation of \$8,900 in fiscal year 1997-98 for the per diem and expenses of members and for miscellaneous costs, including printing, of the

Task Force on Youth and Families. The additional costs associated with providing staffing and clerical assistance to the task force can be absorbed by the Legislature utilizing existing budgeted resources.

The Department of Corrections, Department of Education, Department of Human Services, Department of Mental Health, Mental Retardation and Substance Abuse Services and Department of Public Safety will incur some minor additional costs to work with the task force. These costs can be absorbed within the respective departments' existing budgeted resources.'

SUMMARY

This amendment establishes the Task Force on Youth and Families to study the needs of youths who are at risk and their families. The duties of the 16-member task force include the following: defining the population requiring services and reporting on the size of that population and the extent to which that population is and is not now receiving those services; calculating the cost to establish a system to provide adequate services to these youths and their families; planning for increased pooling of funding among the state departments serving these youths and their families; defining the legal relationships among youths and families and the State when services are accepted voluntarily by the youths and their families and when services are not voluntarily accepted; recommending statutory and rule changes required to address confidentiality requirements when multiple state departments are working with the same youths and families; defining the procedures for families and the State to take when seeking to provide services to youths who do not accept those services voluntarily; and establishing a permanent structure to oversee and make recommendations for service delivery and coordination among state departments. The task force is required to report to the Joint Standing Committee on Health and Human Services of the 118th Legislature by December 1, 1997. The amendment also adds an appropriation and a fiscal note to the bill.