

# MAINE STATE LEGISLATURE

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# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 40

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H.P. 41

House of Representatives, January 9, 2019

**Resolve, To Establish the Commission To Study Children's Mental Health**

(EMERGENCY)

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Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative MADIGAN of Waterville.  
Cosponsored by Senator BELLOWS of Kennebec and  
Representatives: AUSTIN of Skowhegan, COLLINGS of Portland, DENNO of Cumberland,  
DOORE of Augusta, HYMANSON of York, MEYER of Eliot.

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

3           **Whereas,** this resolve establishes the Commission To Study Children's Mental  
4 Health to study the mental health of children in the State and federal and state laws,  
5 regulations, rules and policies governing the diagnosis and treatment of children with  
6 mental health issues; and

7           **Whereas,** the study must be initiated before the 90-day period expires in order that  
8 the study may be completed and a report submitted in time for submission to the next  
9 legislative session; and

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

14          **Sec. 1. Commission established. Resolved:** That the Commission To Study  
15 Children's Mental Health, referred to in this resolve as "the commission," is established.

16          **Sec. 2. Commission membership. Resolved:** That, notwithstanding Joint Rule  
17 353, the commission consists of 11 members appointed as follows:

18           1. Two members of the Senate appointed by the President of the Senate, including a  
19 member from each of the 2 parties holding the largest number of seats in the Legislature;

20           2. Two members of the House of Representatives appointed by the Speaker of the  
21 House, including members from each of the 2 parties holding the largest number of seats  
22 in the Legislature;

23           3. Two parents of children with mental health issues, one appointed by the President  
24 of the Senate and one appointed by the Speaker of the House;

25           4. Three representatives of providers of mental health services to children in the  
26 State, 2 appointed by the President of the Senate and one appointed by the Speaker of the  
27 House;

28           5. The Commissioner of Health and Human Services or the commissioner's designee;  
29 and

30           6. The Commissioner of Education or the commissioner's designee.

31          **Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate  
32 chair and the first-named House of Representatives member is the House chair of the  
33 commission.

34          **Sec. 4. Appointments; convening of commission. Resolved:** That all  
35 appointments must be made no later than 30 days following the effective date of this  
36 resolve. The appointing authorities shall notify the Executive Director of the Legislative

1 Council once all appointments have been completed. After appointment of all members,  
2 the chairs shall call and convene the first meeting of the commission. If 30 days or more  
3 after the effective date of this resolve a majority of but not all appointments have been  
4 made, the chairs may request authority and the Legislative Council may grant authority  
5 for the commission to meet and conduct its business.

6 **Sec. 5. Duties. Resolved:** That the commission shall study the mental health of  
7 children in the State and federal and state laws, regulations, rules and policies governing  
8 the diagnosis and treatment of children with mental health issues in the State.

9 **Sec. 6. Staff assistance. Resolved:** That the Department of Health and Human  
10 Services shall provide necessary staffing services to the commission.

11 **Sec. 7. Report. Resolved:** That, no later than December 4, 2019, the commission  
12 shall submit a report that includes its findings and recommendations, including suggested  
13 legislation, for presentation to the Second Regular Session of the 129th Legislature.

14 **Emergency clause.** In view of the emergency cited in the preamble, this  
15 legislation takes effect when approved.

16 **SUMMARY**

17 This resolve establishes the Commission To Study Children's Mental Health to study  
18 the mental health of children in the State and federal and state laws, regulations, rules and  
19 policies governing the diagnosis and treatment of children with mental health issues.