

MAINE STATE LEGISLATURE

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1 (EMERGENCY)
2 (After Deadline)

3 FIRST REGULAR SESSION
4

5 ONE HUNDRED AND ELEVENTH LEGISLATURE
6

7 Legislative Document

No. 1664

8
9 H.P. 1251 House of Representatives, May 23, 1983
10 Approved for introduction by a majority of the Legislative Council
pursuant to Joint Rule 27.

11 Received by the Clerk of the House on May 20, 1983. Referred to the
Committee on Health and Institutional Services and printed pursuant to Joint
12 Rule 14.

EDWIN H. PERT, Clerk

Presented by Representative Benoit of So. Portland.

13 Cosponsors: Speaker Martin of Eagle Lake, Senator Conley of
Cumberland and Representative Davis of Monmouth.

14 STATE OF MAINE
15

16 IN THE YEAR OF OUR LORD
17 NINETEEN HUNDRED AND EIGHTY-THREE
18

19 RESOLVE, to Establish a Maine
20 Commission to Examine the Availability,
21 Quality and Delivery of Mental Health
22 Services for Children.
23

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

28 Whereas, the quality and delivery of mental
29 health services for children needs thorough study, in
30 order to develop recommendations, including possible
31 legislation, as expeditiously as possible; and

32 Whereas, the recent news articles about a Maine
33 man sentenced to death in California for the murder
34 of a child focused on ways in which this man had been
35 involved in the Maine juvenile justice and mental
36 health systems; and

1 Whereas, the facts disclosed by state officials
2 in this instance and others point to inadequacies in
3 the past system; and

4 Whereas, there are concerns that some of these
5 may still exist, in spite of actions by the Legis-
6 lature and others in the last few years to provide
7 more assistance and preventive services; and

8 Whereas, there is reason to believe that there
9 are numerous children in need of attention in our
10 society, to prevent their becoming a danger to them-
11 selves and others; and

12 Whereas, an examination of these issues by mem-
13 bers of the Legislature, the Executive Branch, the
14 Judiciary, professionals in corrections, sociology,
15 psychology, mental health and other related disci-
16 plines and the public is timely and necessary, as
17 part of our duty to help those in need of care and
18 assistance, and to protect society as a whole; and

19 Whereas, the study is vitally needed because of
20 the direct financial costs of treatment to these
21 children, the human costs to these children and their
22 families and to all in society affected by the
23 results of inaction.

24 Whereas, in the judgment of the Legislature,
25 these facts create an emergency within the meaning of
26 the Constitution of Maine and require the following
27 legislation as immediately necessary for the preser-
28 vation of the public peace, health and safety; now,
29 therefore, be it

30 Commission established. Resolved: That the com-
31 mission on the Availability, Quality and Delivery of
32 Mental Health Services for Children is established,
33 consisting of 31 members representing different areas
34 of the State, 25 members appointed by the Speaker of
35 the House of Representatives and the President of the
36 Senate, namely a chairman; a member of the judiciary
37 branch or a designee; a physician; a representative
38 of municipal police; an intake worker; a newspaper
39 editor; a chairman of a pupil evaluation team; a
40 youth member; an elementary school teacher; a junior
41 high school guidance counselor; a superintendent; a

1 representative of a neighborhood group; a case worker
2 or field worker; a representative of a community
3 counseling center; a psychologist specializing in
4 family practice; a psychiatric social worker; a
5 representative from the Bangor Mental Health Insti-
6 tute or the Augusta Mental Health Institute; a repre-
7 sentative from the Department of Human Services; a
8 representative from the Department of Mental Health
9 and Mental Retardation; a representative from the
10 Department of Corrections; a representative from the
11 Department of Educational and Cultural Services; a
12 representative from the psychiatric department of a
13 hospital; a member of the clergy; a public repre-
14 sentative; a director of an emergency shelter for
15 children and youth; and 6 Legislators, 4 Representa-
16 tives named by the Speaker of the House of Repre-
17 sentatives and 2 Senators named by the President of
18 the Senate; and be it further

19 **Resolved:** That the commission meet at least 3
20 times as a committee of the whole, and at such other
21 times in subcommittees, as necessary, to study the
22 problem through examination of data from Maine and
23 other states to consult with recognized experts in
24 these areas, to conduct public hearings throughout
25 the State and to prepare a report and any accompany-
26 ing legislation for the 2nd Regular Session of the
27 111th Legislature; and be it further

28 **Resolved:** That the chairman of the commission be
29 appointed within 10 days after enactment, the other
30 members within 20 days after enactment and that the
31 first meeting of the commission take place within 40
32 days after enactment.

33 **Resolved:** That the commission have sufficient
34 staff assistance from the Office of Legislative
35 Assistants, the Department of Educational and Cul-
36 tural Services, Department of Human Services, Depart-
37 ment of Mental Health and Mental Retardation, Depart-
38 ment of Corrections and the Department of the Attor-
39 ney General to carry out these duties; and be it fur-
40 ther

41 **Resolved:** That the legislative members of the
42 commission shall receive a per diem compensation, and
43 all members shall receive compensation for travel and

