

MAINE STATE LEGISLATURE

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1 (After Deadline)
2 SECOND REGULAR SESSION
3

4 ONE HUNDRED AND TWELFTH LEGISLATURE
5

6 Legislative Document

No. 2330

7
8 H.P. 1652

House of Representatives, April 3, 1986

9 Under suspension of the rules, read once without reference to committee.
10 Tomorrow assigned for second reading.

EDWIN H. PERT, Clerk

11 Presented by Representative Diamond of Bangor.

12 Cosponsored by Senator Gill of Cumberland, Speaker Martin of Eagle
13 Lake and Representative Nelson of Portland.

14 STATE OF MAINE

15 IN THE YEAR OF OUR LORD
16 NINETEEN HUNDRED AND EIGHTY-SIX
17

18 AN ACT to Establish a Commission to Examine
19 the Availability, Quality and Delivery
20 of Services Provided to Children with
21 Special Needs.
22

23 Be it enacted by the People of the State of Maine as
24 follows:

25 Sec. 1. 5 MRSA §12004, sub-§10, ¶A, sub-¶(32-A)
26 is enacted to read:

27 (32-A) Human Services Commission to Legislative 22 MRSA
28 Examine the Per Diem §9001
29 Availability, Legislators
30 Quality and Only
31 Delivery of Expenses Only
32 Services for non-
33 Provided to legislators
34 Children with
35 Special Needs

1 Sec. 2. 22 MRSA, Subtitle 7 is enacted to read:

2 SUBTITLE 7

3 SPECIAL SERVICES

4 CHAPTER 1701

5 CHILDREN WITH SPECIAL NEEDS

6 §9001. Commission to Examine the Availability, Quali-
7 ty and Delivery of Services Provided to Chil-
8 dren with Special Needs

9 1. Commission established; membership. The Com-
10 mission to Examine the Availability, Quality and De-
11 livery of Services Provided to Children with Special
12 Needs, as established by Title 5, section 12004, sub-
13 section 10, shall consist of 31 members representing
14 different areas of the State appointed as follows.

15 A. The Speaker of the House of Representatives
16 shall appoint 3 members of the House of Represen-
17 tatives, one each from the joint standing commit-
18 tees of the Legislature having jurisdiction over
19 human resources, judiciary and appropriations and
20 financial affairs.

21 B. The President of the Senate shall appoint 3
22 members of the Senate, one each from the joint
23 standing committees of the Legislature having ju-
24 risdiction over human resources, judiciary and
25 appropriations and financial affairs.

26 C. The Speaker of the House of Representatives
27 and the President of the Senate shall jointly ap-
28 point 25 members as follows:

29 (1) The chairman;

30 (2) A member of the Judiciary Branch or a
31 designee;

32 (3) A pediatrician;

33 (4) A representative of municipal police;

- 1 (5) A juvenile service worker;
- 2 (6) A newspaper editor;
- 3 (7) A chairman of a pupil evaluation team;
- 4 (8) A parent;
- 5 (9) An elementary school teacher;
- 6 (10) A junior high school guidance counsel-
7 or;
- 8 (11) A superintendent of schools;
- 9 (12) A representative of a residential
10 child care facility;
- 11 (13) A caseworker or field worker currently
12 providing direct services to children;
- 13 (14) A representative of a community coun-
14 seling center;
- 15 (15) A psychologist specializing in family
16 practice;
- 17 (16) A psychiatric social worker;
- 18 (17) A representative from the Bangor Men-
19 tal Health Institute or the Augusta Mental
20 Health Institute;
- 21 (18) A representative from the Department
22 of Human Services;
- 23 (19) A representative from the Department
24 of Mental Health and Mental Retardation;
- 25 (20) A representative from the Department
26 of Corrections;
- 27 (21) A representative from the Department
28 of Educational and Cultural Services;
- 29 (22) A representative from the psychiatric
30 department of a hospital;

1 (23) A member of the clergy;

2 (24) A public representative; and

3 (25) A director of an emergency shelter for
4 children and youth.

5 2. Terms. Legislators shall serve during the
6 term for which they were elected. All other members
7 shall be appointed for terms of 3 years. Any member
8 appointed to fill a vacancy shall be appointed only
9 for the remainder of the term.

10 The chairman of the commission shall be appointed
11 within 10 days after the effective date of this chap-
12 ter and the other members within 20 days after the
13 effective date of this chapter. The first meeting of
14 the commission shall take place within 40 days after
15 the effective date of this chapter.

16 3. Staff. The commission shall receive suffi-
17 cient staff assistance and pertinent existing infor-
18 mation about problems and services from the Office of
19 Policy and Legal Analysis, the Department of Mental
20 Health and Mental Retardation, the Department of Cor-
21 rections and the Department of the Attorney General
22 to carry out its duties.

23 §9002. Duties of the commission

24 The commission shall have the following duties:

25 1. Review. Reviewing existing mechanisms for
26 identifying and following children with special psy-
27 chological, emotional and behavioral needs; identify-
28 ing major gaps in the provision of services to these
29 children; reviewing on an annual basis any changes in
30 the mechanisms used by the Department of Human Ser-
31 vices, the Department of Educational and Cultural
32 Services, the Department of Corrections and the De-
33 partment of Mental Health and Mental Retardation to
34 plan for and provide services to children; and based
35 on findings, establish priorities for legislative ac-
36 tion;

37 2. Meeting. Meeting at least 2 times annually as
38 a committee of the whole, and at such other times in

1 subcommittees as necessary, to study data from Maine
2 and other states and to consult with departmental
3 representatives and other recognized experts in these
4 areas;

5 3. Progress. Reviewing progress and accomplish-
6 ments of the 4 major youth-serving departments in de-
7 veloping and coordinating an integrated system of
8 services for children with special needs;

9 4. Comments. Seeking comments and opinions from
10 the public regarding their experiences in obtaining
11 services for children with special needs; and

12 5. Report. Preparing a report to the First Regu-
13 lar Session of the 113th Legislature and every 3
14 years thereafter on the status of services to chil-
15 dren with special needs, including recommendations
16 for future action and any necessary legislation.

17 §9003. Compensation

18 Members shall be compensated in accordance with
19 Title 5, chapter 379.

20 Sec. 3. Appropriation. The following funds are
21 appropriated from the General Fund to carry out the
22 purposes of this Act.

23 1986-87

24 COMMISSION TO EXAMINE THE AVAILABILITY,
25 QUALITY AND DELIVERY OF SERVICES PROVIDED
26 TO CHILDREN WITH SPECIAL NEEDS

27 All Other \$6,000

28 STATEMENT OF FACT

29 The ability of the State's social service and
30 mental health agencies to care for troubled children
31 and their families was called into question in 1983
32 by a Maine Sunday Telegram article that profiled the
33 tragic life of Malcolm Robbins, from abused child to
34 sexual offender to child murderer.

1 To ensure that Maine social service agencies
2 could better handle the Malcolm Robbins' of today,
3 the 111th Legislature established the Maine Commis-
4 sion to Examine the Availability, Quality and Deliv-
5 ery of Services Provided to Children with Special
6 Needs. The commission accomplished many of its ex-
7 plicit tasks during the next 2 years and published a
8 report of its findings in January 1985.

9 Commission members met again during the fall of
10 1985 to review the progress made by the 4 major
11 youth-serving departments in addressing its recommen-
12 dations. It was clear that the commission provided
13 the impetus for many positive changes in the service
14 delivery system for children with special needs.

15 No joint special or standing committee on chil-
16 dren currently exists in Maine, yet the Legislature
17 faces an increasing number of complex issues relating
18 to children and families each year. This bill estab-
19 lishes on a permanent basis a broad-based,
20 multidisciplinary commission on children with special
21 needs to ensure that progress continues to be made in
22 addressing problems in the service delivery system
23 for children with special needs.

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