

MAINE STATE LEGISLATURE

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(EMERGENCY)
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 809

H.P. 598 House of Representatives, March 17, 1987
Reference to the Committee on Human Resources suggested
and ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative ANTHONY of South Portland.
Cosponsored by Senator BUSTIN of Kennebec and
Representative ROLDE of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 Resolve, to Establish the Commission on
2 Children in Need of Supervision and
3 Treatment.
4

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

9 Whereas, there are substantial numbers of adoles-
10 cents and young adults who need mental health and
11 substance abuse treatment in order to become produc-
12 tive citizens but who refuse to seek or accept that
13 treatment; and

14 Whereas, many of these young people become home-
15 less individuals who add substantially to the law en-

1 enforcement problems of Maine's communities as well as
2 their social welfare caseloads; and

3 Whereas, many of these young people cause sub-
4 stantial disruption to their families, by appearing
5 at home sporadically, causing family disputes, physi-
6 cally damaging the premises or occupants on occasion,
7 refusing to obey any rules of behavior and adversely
8 influencing younger siblings, all to the great dis-
9 tress of their parents who are unable to take control
10 of the situation; and

11 Whereas, there have been discussions about re-
12 storing status offenses to the juvenile code, easing
13 the standard for commitment of juveniles under the
14 mental health laws, or building a behavior stabiliza-
15 tion unit for initial treatment of this segment of
16 the population, the State has taken no action to meet
17 the needs of these young people; and

18 Whereas, continued inaction causes the state
19 great expense in higher crime rates, lost wages and
20 taxes and increased social service and rehabilitation
21 services; and

22 Whereas, the State is currently paying very large
23 sums of money for specialized secure treatment place-
24 ments in facilities out-of-state and despite ex-
25 pressed concern about these costs, the inaction con-
26 tinues; and

27 Whereas, intervention with out-of-control young
28 people at an earlier age would prevent the necessity
29 of sending them to expensive out-of-state facilities
30 later; and

31 Whereas, in the judgment of the Legislature,
32 these facts create an emergency within the meaning of
33 the Constitution of Maine and require the following
34 legislation as immediately necessary for the preser-
35 vation of the public peace, health and safety; now,
36 therefore, be it

37 Commission established; membership. Resolved:
38 That there is established a special commission on
39 children in need of supervision and treatment. The
40 commission shall consist of 15 members. The follow-

1 ing members shall be appointed by the Legislative
2 Council:

3 1. Two representatives from the Joint Standing
4 Committee on Appropriations;

5 2. Two representatives from the Joint Standing
6 Committee on Human Resources;

7 3. Two representatives from the Joint Standing
8 Committee on Audit and Program Review; and

9 4. Two representatives from the Joint Standing
10 Committee on Judiciary.

11 The Commissioner of Corrections, or his designee;
12 the Commissioner of Mental Health and Mental Retarda-
13 tion, or his designee; the Commissioner of Human
14 Services, or his designee; the Commissioner of Educa-
15 tional and Cultural Services, or his designee; the
16 chairman of the Juvenile Justice Advisory Group, or
17 his designee; the Executive Director of Advocates for
18 the Developmentally Disabled, or his designee; and a
19 representative from the State's resident and treat-
20 ment centers, appointed by the Governor shall also be
21 members; and be it further

22 Tasks. Resolved: That the commission shall:

23 1. Determine population of disturbed juveniles;

24 2. Analyze funding for existing out-of-state
25 placements that could be served in new programs;

26 3. Identify and recommend changes in the laws to
27 enable the State to commit individuals, who need
28 treatment, to a secure treatment facility;

29 4. Identify and recommend needed changes in the
30 Medicaid plan to fund such a facility;

31 5. Identify existing state resources that could
32 be used for the purposes, such as funds, buildings,
33 staff;

34 6. Recommend necessary State money appropria-
35 tion;

1 7. Determine the nature of treatment to be pro-
2 vided in a secure treatment facility for this popula-
3 tion;

4 8. Identify how this facility will integrate
5 with existing treatment resources in the State, and
6 suggest any changes to facilitate smooth transitions
7 from this facility to other resources as appropriate;
8 and

9 9. Prepare an overall plan and approach, includ-
10 ing supporting legislation, necessary to have the
11 State meet its obligation to these out-of-control ju-
12 veniles and young adults, their families and their
13 communities; and be it further

14 Assistance. Resolved: That the Office of Policy
15 and Legal Analysis shall provide any necessary as-
16 sistance; and be it further

17 Compensation. Resolved: That Legislators shall
18 receive the legislative per diem and all nonstate em-
19 ployees who are members shall receive compensation
20 for expenses only; and be it further

21 Findings; report. Resolved: That the commission
22 shall present its findings, plan and prepare legisla-
23 tion to the Second Regular Session of the 113th Leg-
24 islature by March 1, 1988.

25 STATEMENT OF FACT

26 There are many juveniles who are out-of-control
27 and living at home and raising havoc with their fami-
28 lies, or have left home and are on their own and need
29 treatment services. This bill creates a commission
30 to study this group of young people, examine
31 society's responsibilities towards this group and
32 make recommendations as appropriate.

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