

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 38, L.D. 38, "Resolve,
Creating the Blue Ribbon Commission to Study the Establishment of
a Cabinet-level Department of Children within State Government"

Amend the bill by striking out all of the title and
inserting in its place the following:

**'Resolve, Creating a Blue Ribbon Commission to Study the
Most Effective Way to Provide Services to Children and Families'**

Further amend the bill by striking out everything after the
title and before the statement of fact 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, it has been documented that the childhood years
play a critical role in determining the academic, social,
physical, emotional and economic well-being of individuals; and**

**Whereas, programs to encourage the normal development of
children and to provide necessary educational, social and
correctional services are dispersed in several departments,
agencies, bureaus, offices and commissions of State Government;
and**

**Whereas, this dispersal may result in gaps and duplication
in services and confusion among members of the public as to where
to go for assistance and who has responsibility for administering
various programs; and**

**Whereas, this situation results in inefficiency and
confusion; and**

**Whereas, it is necessary to develop a plan to address this
situation immediately; and**

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

7 **Sec. 1. Commission created and charged. Resolved:** That there
8 is created the Blue Ribbon Commission to Study the Provision of
9 Services to Children and Families. The commission shall
10 thoroughly review the delegation of authority regarding services
11 for children and their families to various agencies of State
12 Government and the actual provision of those services. The
13 commission shall evaluate the effectiveness of programs as
14 currently provided, the efficiency with which services are
15 provided within the current structure and the degree of public
16 confusion caused by the current structure. The purpose of the
17 commission is to study a range of options for more effectively
18 providing services to children and families and to make
19 recommendations to the Legislature and the Governor for any
20 necessary changes. As part of the evaluation, the commission
21 shall hold 4 public meetings at various locations around the
22 State; and be it further

23 **Sec. 2. Appointment. Resolved:** That the commission shall
24 consist of 21 members appointed as follows:

25 1. Five Legislators representing the Joint Standing
26 Committee on Education, the Joint Standing Committee on Human
27 Resources, and the Joint Standing Committee on State and Local
28 Government, including 2 members of the Senate appointed by the
29 President of the Senate and 3 members of the House of
30 Representatives appointed by the Speaker of the House;

31 2. One representative of each of the following agencies, to
32 be appointed by the Governor:

- 33 A. The Department of Educational and Cultural Services;
- 34 B. The State Board of Education;
- 35 C. The Department of Human Services;
- 36 D. The Department of Mental Health and Mental Retardation;
- 37 E. The Department of Corrections; and
- 38 F. The Division of Community Services;

39 3. The following members, to be appointed by the Speaker of
40 the House of Representatives:

- 41 A. One school administrator;

- 2 B. One classroom teacher;
- 4 C. One member of the clergy;
- 6 D. One representative of a juvenile residential facility;
and
- 8 E. One Head Start representative selected from a list of
10 candidates submitted by the Head Start Directors
Association; and
- 12 4. The following members, to be appointed by the President
of the Senate:
 - 14 A. One guidance counsellor;
 - 16 B. One social worker with expertise in family dysfunction
18 issues;
 - 20 C. One child psychologist;
 - 22 D. One juvenile justice system field worker; and
 - 24 E. One pediatrician or other physician who is engaged in
26 family practice.

28 The appointments must be made within 30 days of the
effective date of this resolve; and be it further

30 **Sec. 3. Convening of commission; selection of chair and cochair.**
32 **Resolved:** That the Chair of the Legislative Council shall call
the first meeting of the commission within 30 days of the
34 appointment of all commission members. At that meeting, the
commission shall select a chair from among the legislative
36 members and a cochair from among the public members; and be it
further

38 **Sec. 4. Report. Resolved:** That the commission shall present
its findings, together with any recommended legislation, to the
40 Legislature and Governor no later than December 1, 1991; and be
it further

42 **Sec. 5. Assistance. Resolved:** That the commission may contract
44 for the services of a consultant or research assistant in
reviewing the delegation of authority and the provision of
46 services for children and families, evaluating the effectiveness
of programs and the efficiency with which they are provided,
48 assessing the problems caused by the current structure and
examining alternative structures for the provision of those
50 services. The commission may request clerical assistance and
assistance in managing the work of the consultant from the
52 Legislative Council. The commission may request assistance with
the preparation of any recommended legislation from the

2 Legislative Council. The various departments of State Government
shall provide information to the commission upon request; and be
4 it further

6 **Sec. 6. Compensation. Resolved:** That the members of the
commission who are Legislators are entitled to receive the
8 legislative per diem, as defined in the Maine Revised Statutes,
Title 3, section 2, for each day's attendance at commission
10 meetings. All members of the commission, except the employees of
State Government, are entitled to receive reimbursement for
12 expenses upon application to the Executive Director of the
Legislative Council; and be it further

14 **Sec. 7. Appropriation. Resolved:** That the following funds are
appropriated from the General Fund to carry out the purposes of
16 this resolve.

18 1989-90 1990-91

20 **LEGISLATURE**

22 **Blue Ribbon Commission to Study**
24 **the Provision of Services to**
Children and Families

26 Personal Services	\$ 275	\$ 3,025
28 All Other	1,050	61,900

30 Provides funds for per diem,
meeting and related expenses
of the commission. Also
32 provides funds for the
commission to hire a
34 consultant or research
assistant. These funds may
36 not lapse but must be carried
forward.

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40 TOTAL	\$1,325	\$64,925

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

46 **STATEMENT OF FACT**

48 The original . resolve is part of the legislative
recommendations of the Special Commission on Early Childhood
50 Development and Education established by Resolve 1987, chapter
110. That resolve establishes a Blue Ribbon Commission to Study
52 the Establishment of a Cabinet-level Department of Children

COMMITTEE AMENDMENT "A" to H.P. 38, L.D. 38

2 within State Government appointed by the Governor to study the
3 programs and services for children provided by various state
4 agencies and to evaluate the effectiveness with which those
5 programs and services are provided.

6 The purpose of this amendment is to clarify the focus of the
7 study, broaden the makeup of the commission, provide for greater
8 legislative participation in the selection of the members and
9 provide guidelines and funding for hiring a consultant to assist
10 the commission.

Reported by the Committee on Education
Reproduced and distributed under the direction of the Clerk of the
House
1/24/90 (Filing No. H-739)