MAINE STATE LEGISLATURE

The following document is provided by the

LAW AND LEGISLATIVE DIGITAL LIBRARY

at the Maine State Law and Legislative Reference Library

http://legislature.maine.gov/lawlib



Reproduced from scanned originals with text recognition applied (searchable text may contain some errors and/or omissions)



115th MAINE LEGISLATURE

SECOND REGULAR SESSION-1992

Legislative Document

No. 2220

H.P. 1573

House of Representatives, January 27, 1992

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26. Reference to the Committee on Human Resources suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative JOSEPH of Waterville.

Cosponsored by Speaker MARTIN of Eagle Lake and President PRAY of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND NINETY-TWO

Resolve, to Establish A Unified Department of Children and Families.

(EMERGENCY)



	Emergency preamble. Whereas, Acts and resolves of the
2	Legislature do not become effective until 90 days after
	adjournment unless enacted as emergencies; and
4	Whereas, the Legislature finds that services for children
6	and their families should be reorganized for maximum efficiency
Ū	and effectiveness; and
8	
,	Whereas, the transition process for reorganization should
10	begin immediately; and
12	Whereas, in the judgment of the Legislature, these facts
14	create an emergency within the meaning of the Constitution of
14	Maine and require the following legislation as immediately
	necessary for the preservation of the public peace, health and
16	safety; now, therefore, be it
18	Sec. 1. Intent; creation of unified Department of Children and
20	Families. Resolved: That it is the intent of the Legislature that by July 1, 1993 the Department of Human Services be abolished and
20	the Department of Children and Families created in its place.
22	The functions of State Government must be reorganized to create a
	department that has as its single focus the delivery of services
24	to children and their families; and be it further
a è'	Con 2 Toing release commission and blinks of Themslessels (7)
26	Sec. 2. Joint select committee established. Resolved: That the Joint Select Committee on Children and Families is established
28	and consists of 13 members of the Legislature including 3 members
	of the Senate appointed by the President of the Senate and 10
30	members of the House of Representatives appointed by the Speaker
	of the House of Representatives as follows:
32	
34	 Two members of the Joint Standing Committee on Appropriations and Financial Affairs;
	Appropriacions and rinancial Allairs,
36	2. Two members of the Joint Standing Committee on Education;
38	3. Two members of the Joint Standing Committee on Human
	Resources;
40	4. Two members of the Joint Select Committee on Corrections;
42	4. Two members of the Joint Select Committee on Corrections;
	5. Two members of the Joint Standing Committee on State and
44	Local Government; and
46	Three additional members of the Legislature.
10	All members must be provided by the total 1 1000 miles
48	All members must be appointed by June 1, 1992. The committee is abolished on December 1, 1992; and be it further
	committees is abortained on December 1, 1992; and De it lufther

- Sec. 3. Joint select committee charged. Resolved: That the Joint 2 Select Committee on Children and Families shall develop, with the advice and assistance of officials of the executive branch, all legislation needed to implement the reorganization of services in б accordance with this resolve, including amendments to the statutes, reallocation of funds and transitional language as needed. The legislation must be presented to the Legislature by 8 November 1, 1992 for consideration during the First Regular Session of the 116th Legislature; and be it further 10
- Sec. 4. Content of legislation. Resolved: That the legislation prepared by the Joint Select Committee on Children and Families 14 must provide for at least the following:

12

20

22

24

26

32

34

36

38

- 16 Abolition of the Department of Human Services and creation of the Department of Children and Families with a 18 unified case management system that ensures that each child and that child's family have only one case manager;
 - Transfer of the following programs from the Department of Corrections to the Department of Children and Families: juvenile Maine Youth Center; juvenile detention programs; probation and parole; and contracted community services for juveniles;
- 3. Transfer from the Department of Education to the Department of Children and Families all programs for children 28 ages 0 to 5, including but not limited to Child Development 30 Services and all programs administered in accordance with federal Public Law 99-457;
 - Transfer of Head Start from the Office of Community Services to the Department of Children and Families;
 - Transfer of all children's substance abuse programs from the Executive Department, Office of Substance Abuse Department of Children and Families;
- 40 Transfer of the following programs from the Department of Human Services to the Department of Children and Families: the functions of the Bureau of Child and Family Services; the 42 functions of the Bureau of Health that relate directly to 44 children and families; and the Family Preservation Program of the Bureau of Income Maintenance. The Joint Select Committee on 46 Children and Families shall decide the appropriate places to transfer or consolidate the remainder of the Department of Human 48 Services;

7. Transfer of the following programs from the Department 2 of Mental Health and Mental Retardation: the functions and facilities of the Bureau of Children with Special Needs, including the Elizabeth Levinson Center, the Bath Children's Home and the Infant Development Center; the adolescent unit at the Augusta Mental Health Institute or its successor programs; and all children's programs provided by the Bureau of Mental Retardation except those provided at Pineland Center; 10 Transfer of the Interdepartmental Council and 12 Interdepartmental Committee on Transition from multidepartment locations to the Department of Children and 14 Families; and Any other legislation necessary to implement the intent 16 of this resolve; and be it further 18 Sec. 5. Cooperation from departments. Resolved: 20 following officials of the executive branch shall provide information, advice and assistance to the Joint Select Committee 22 on Children and Families: the Commissioner of Human Services; the Commissioner of Corrections; the Commissioner of Education; 24 the Commissioner of Mental Health and Mental Retardation; the Director of the Office of Substance Abuse; and the Director of 26 the Office of Community Services; and be it further 28 Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved. 30 32 STATEMENT OF FACT 34 This bill creates the Joint Select Committee on Children and 36 Families and charges the committee with preparing the legislation needed to implement the recommendations of the President's and Speaker's Blue Ribbon Commission on Children and Families

38

40

regarding the creation of a Department of Children and Families.