

# 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)

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
116TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 807, L.D. 1093, Bill, "An Act Repealing Advisory Boards on Human Resources"

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

PART A

Sec. A-1. 5 MRSA §12004-G, sub-§28, as enacted by PL 1987, c. 786, §5, is amended to read:

28.	Region II	Expenses	34-B MRSA
Mental Health	Crisis In-	Only	§3621
and Mental	tervention		§3624
Retardation	Program		
	Advisory		
	Board		

Sec. A-2. 34-B MRSA §3624 is enacted to read:

§3624. Region II Crisis Intervention Program Advisory Board

1. Definition. As used in this section, "program" means the crisis intervention program established pursuant to section 3621.

2. Purpose. The Region II Crisis Intervention Program Advisory Board, as established by Title 5, section 12004-G, subsection 28, advises the program.

3. Members. The board consists of 12 members as follows:

2 A. The superintendent of the Bangor Mental Health Institute, or the superintendent's designee;

4 B. The chief executive officer of the hospital that participates in the program, or the chief executive officer's designee;

6 C. The director of community support services for the community mental health center serving Region II;

8 D. An individual providing services to persons who are homeless in Region II, appointed by the commissioner;

10 E. Four consumers or family members of consumers nominated by the Alliance for the Mentally Ill of Maine and appointed by the commissioner. Members appointed under this paragraph must represent a geographical balance within Region II;

12 F. One private mental health practitioner and 2 consumers of services for the mentally ill selected by a majority of the other members; and

14 G. The coordinator of the project, who is an ex officio member who may vote only in case of a tie.

16 Further amend the bill by striking out all of Parts B and D.

18 Further amend the bill by striking out all of Part E and inserting in its place the following:

20 **PARTE**

22 **Sec. E-1. 5 MRSA §12004-I, sub-§36, as enacted by PL 1987, c. 786, §5, is amended to read:**

24	36.	Advisory	Not Autho-	22 MRSA
26	Human Services	Council-to	rized	§3774
28		Maine		
30		Aid to		
32		Families		
34		with Depend-		
36		ent Children		
38		Coordinating		
40		Committee		
42		<u>Advisory</u>		
44		<u>Council</u>		

46 **Sec. E-2. 20-A MRSA §10908, first ¶, as amended by PL 1985, c. 779, §52, is further amended to read:**

In conjunction with the Maine Aid to Families with Dependent Children ~~Coordinating--Committee--operating~~ Advisory Council established pursuant to Title 22, ~~chapter-1054~~ section 3774, the University of Maine System:

**Sec. E-3. 22 MRSA §3772, sub-§1**, as enacted by PL 1981, c. 512, §16, is amended to read:

**1. Committee.** "Committee" means the Maine Aid to Families with Dependent Children ~~Coordinating--Committee~~ Advisory Council established in section 3773 3774.

**Sec. E-4. 22 MRSA §3774**, as amended by PL 1989, c. 700, Pt. A, §85, is repealed and the following enacted in its place:

**§3774. Maine Aid to Families with Dependent Children Advisory Council**

**1. Duties.** The Maine Aid to Families with Dependent Children Advisory Council, as established by Title 5, section 12004-I, subsection 36, shall advise the commissioner or the commissioner's designee regarding education, training, job opportunities and other matters affecting recipients of Aid to Families with Dependent Children.

**2. Members.** The commissioner shall appoint the members of the council. Members must include at least the following:

**A. Two recipients of benefits under the Aid to Families with Dependent Children program;**

**B. One representative of employers within the State;**

**C. One representative of organized labor;**

**D. One representative of women's interests; and**

**E. One or more representatives of organizations or agencies that have experience in addressing the training, education and job needs of low-income women.**

**Sec. E-5. 26 MRSA §1002, sub-§9**, as enacted by PL 1989, c. 483, Pt. A, §44, is amended to read:

**9. Commitment to apprenticeships for women and recipients of aid to families with dependent children.** Cooperate, consult and coordinate with the ~~Maine Commission for Women, the advisory council to~~ the Maine Aid to Families with Dependent Children ~~Coordinating--Committee~~ Advisory Council, established by Title 22, section 3773 3774, and other relevant groups to identify the

2 obstacles which may prevent the greater participation of women  
and of aid to families with dependent children recipients in  
4 apprenticeships, and the necessary measures to be taken to  
overcome them.'

6 Further amend the bill by striking out all of Parts F, G, H,  
I, J, K and L.

8  
10 Further amend the bill in Part M by inserting after section  
1 the following:

12 'Sec. M-2. 22 MRSA §2092, sub-§2, as amended by PL 1975, c.  
14 293, §4, is repealed.'

16 Further amend the bill in Part M by renumbering the sections  
to read consecutively.

18 Further amend the bill by striking out all of Parts N, O and  
20 P.

22 Further amend the bill by striking out all of Part Q and  
inserting in its place the following:

24 **PART Q**

26 **Sec. Q-1. 3 MRSA §927, sub-§6, ¶B,** as amended by PL 1993, c.  
28 92, §4, is repealed.

30 **Sec. Q-2. 5 MRSA §12004-I, sub-§49,** as enacted by PL 1987, c.  
786, §5, is repealed.

32 **Sec. Q-3. 22 MRSA §2621, sub-§1,** as amended by PL 1985, c.  
34 748, §25, is repealed.'

36 Further amend the bill by striking out all of Parts R and S.

38 Further amend the bill by striking out all of Part T and  
inserting in its place the following:

40 **PART T**

42 **Sec. T-1. 34-B MRSA §6241, sub-§2, ¶¶A to C** are enacted to read:

44 A. The committee shall monitor the adoption of rules  
46 defining the rights of children who need services and make  
recommendations to the department about improving the rules.

48 B. The committee shall provide advice and direction to the  
director concerning the effective and efficient management

of the Bath Children's Home and the Elizabeth Levinson Center in coordination with long-range missions and priorities of the bureau. The committee may inspect the Bath Children's Home and the Elizabeth Levinson Center and may make recommendations on the management of those institutions to the director and the commissioner.

C. Annually, the committee shall submit a report to the commissioner and the joint standing committee of the Legislature having jurisdiction over human resource matters regarding the implementation of the rights of children who need services.

Sec. T-2. 34-B MRSA §6241, sub-§3 is enacted to read:

3. Access. Committee members have access to all living areas, program areas and records of the Elizabeth Levinson Center, the Bath Children's Home and facilities that contract with the Bureau of Children with Special Needs, provided that the access conforms with the laws regarding confidentiality of mental health information.'

Further amend the bill by striking out all of Parts V and W.

Further amend the bill by striking out all of Part X and inserting in its place the following:

PART X

Sec. X-1. 5 MRSA §12004-I, sub-§60-A, as enacted by PL 1991, c. 70, §1, is amended to read:

60-A.	Board of Expenses	34-B MRSA
Mental Health	Visitors (for Only	§1403-A
and Mental	certain-state	
Retardation	institutions	
	under-the	
	Department-of	
	Mental-Health	
	and-Mental	
	Retardation)	
	, Pineland	
	Center	

Sec. X-2. 34-B MRSA §1403-A, as enacted by PL 1991, c. 70, §2, is amended to read:

§1403-A. Pineland Center Board of Visitors

2  
4 1. **Appointment.** The Governor shall appoint a board of 5  
6 visitors, as authorized by Title 5, section 12004-I, subsection  
60-A, for ~~each state institution under the department~~ Pineland  
Center.

8 A. The term of the visitors is for one year.

10 B. ~~Members of boards of visitors~~ Visitors are eligible for  
reappointment at the expiration of their terms.

12 C. A member of the Legislature may not serve ~~on any board~~  
14 ~~of visitors~~ as a visitor.

16 D. ~~Members of boards of visitors~~ Visitors are entitled to  
18 compensation for expenses according to the provisions of  
Title 5, chapter 379.

20 2. **Powers.** ~~Each board of visitors~~ Visitors may inspect the  
22 ~~institution to which it is assigned~~ Pineland Center and may make  
recommendations on the management of the institution to the  
24 commissioner and the superintendent of Pineland Center.

26 3. **Duties.** ~~Boards of visitors have~~ The board of visitors  
has the following duties.

28 A. ~~Boards of visitors~~ The board of visitors shall send  
30 copies of all recommendations to the members of the joint  
standing committee of the Legislature having jurisdiction  
32 over human resources matters.

34 B. ~~Each board of visitors~~ The board of visitors shall  
appear before the joint standing committee of the  
36 Legislature having jurisdiction over human resources matters  
upon request.

38 4. ~~Exceptions. This section does not apply to the Augusta~~  
40 ~~Mental Health Institute, the Banger Mental Health Institute or~~  
~~the Bath Children's Home.~~

42 **Sec. X-3. 34-B MRSA §6253-A, sub-§1**, as amended by PL 1991, c.  
44 567, §2, is further amended to read:

46 1. **Chief administrative officer.** The chief administrative  
officer of the Bath Children's Home is the director. The  
48 commissioner shall, ~~with the advice of the Board of Visitors,~~  
appoint and set the salary for the director. The director is  
50 appointed for an indefinite term and serves at the pleasure of  
the commissioner until the director's successor is appointed and

2 qualified. The director must have sufficient education and  
experience to administer a facility providing services to  
4 children in need of treatment.

6 **Sec. X-4. 34-B MRSA §6253-A, sub-§6**, as enacted by PL 1989, c.  
749, §§2 and 3, is repealed.'

8 Further amend the bill by striking out all of Parts Y, Z,  
AA, BB and CC.

10 Further amend the bill in Part DD by inserting after section  
12 1 the following:

14 **Sec. DD-2. 34-B MRSA §7014, sub-§1**, as enacted by PL 1983,  
c. 459, §7, is amended to read:

16  
18 1. **Confidentiality of proceedings and records.** All court  
proceedings occurring under this chapter shall---be are  
20 confidential and closed to the public, unless the person seeking  
sterilization or being considered for sterilization, personally  
22 or through his that person's attorney, requests that the  
proceedings be open to the public. Records of the court  
24 proceedings shall are not be open to inspection by the public,  
~~except under section 7017~~, without the consent, personally or  
26 through his that person's attorney, of the person seeking  
sterilization or for whom sterilization is being considered.'

28 Further amend the bill by striking out all of Part FF.

30 Further amend the bill by relettering the Parts to read  
consecutively.

32 Further amend the bill by inserting at the end before the  
34 statement of fact the following:

36 **FISCAL NOTE**

38 The Department of Human Services will experience minor  
40 savings as a result of the consolidation of various advisory  
boards and from the elimination of the Maine Dental Health  
42 Council.'

44 **STATEMENT OF FACT**

46 The amendment maintains the Region II Crisis Intervention  
Program Advisory Board while expanding the membership to include  
48 an individual who provides services to the homeless population.



COMMITTEE AMENDMENT "A" to H.P. 807, L.D. 1093

2 The amendment removes the repeal provisions, thereby keeping  
the following boards: Interdepartmental Committee on Youth in  
4 Transition, Maine Health Program Advisory Committee, Maine  
Suspected Child Abuse and Neglect Council, Child Welfare Advisory  
6 Committee, Certificate of Need Advisory Committee, Maine Council  
on Alcohol and Drug Abuse Prevention and Treatment, Advisory  
8 Committee to Division of Deafness, Advisory Committee on  
Improving Outdoor Opportunities for Persons with Disabilities,  
10 commonly known as Maine Outdoor Recreation for Everyone,  
M.O.R.E., Committee to Advise the Department of Human Services on  
12 AIDS, Consumer Advisory Committee, Hospital Advisory Committee,  
Payor Advisory Committee, Professional Advisory Committee,  
14 Radiological Emergency Preparedness Committee, Maine Hospice  
Council, Medical Specialty Advisory Committee on Anesthesiology,  
16 Medical Specialty Advisory Committee on Emergency Medicine,  
Medical Specialty Advisory Committee on Obstetrics and  
18 Gynecology, Medical Specialty Advisory Committee on Radiology,  
Regional Family Support Councils, Maine Family Support Council,  
20 Maine Advisory Committee on Mental Retardation, Mental Health  
Rights Advisory Board, Residential Treatment Centers Advisory  
22 Group, State Planning and Advisory Council on Developmental  
Disabilities, Cancer Prevention and Control Advisory Committee  
24 and the Commission on Nursing Supply and Educational  
Accessibility.

26 The amendment combines the duties of 2 existing Aid to  
28 Families with Dependent Children advisory boards into one and  
combines the duties of 3 children's advisory boards into one.

30 The amendment also adds a fiscal note to the bill.  
32

Reported by the Committee on Human Resources  
Reproduced and distributed under the direction of the Clerk of the  
House  
6/2/93

(Filing No. H-560)