

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1825

S.P. 643

In Senate, March 11, 1999

Resolve, to Establish the Commission to Study Children in Need of Services.

(EMERGENCY)

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by President LAWRENCE of York.
Cosponsored by Senator PARADIS of Aroostook and
Senators: BERUBE of Androscoggin, LONGLEY of Waldo, MILLS of Somerset,
MITCHELL of Penobscot, Representatives: KANE of Saco, MADORE of Augusta, POVICH
of Ellsworth, WATSON of Farmingdale.

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

4
6 Whereas, children in need of services are difficult to
identify and are sometimes resistant to accepting services and
are sometimes endangered by their own behavior; and

8
10 Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
12 necessary for the preservation of the public peace, health and
safety; now, therefore, be it

14
16 **Sec. 1. Commission established. Resolved:** That the Commission
to Study Children in Need of Services, referred to in this
resolve as "the commission," is established; and be it further

18
20 **Sec. 2. Membership. Resolved:** That the commission consists of
15 members appointed as follows.

22 1. The President of the Senate shall appoint 5 members: one
Senator from the joint standing committee of the Legislature
24 having jurisdiction over criminal justice matters, one Senator
from the joint standing committee of the Legislature having
jurisdiction over education matters, one Senator from the joint
26 standing committee of the Legislature having jurisdiction over
health and human services matters, one representative of
community-based organizations working with children and their
28 families and one representative of children.

30
32 2. The Speaker of the House shall appoint the following 5
members: one Representative from the joint standing committee of
34 the Legislature having jurisdiction over criminal justice
matters, one Representative from the joint standing committee of
36 the Legislature having jurisdiction over education matters, one
Representative from the joint standing committee of the
38 Legislature having jurisdiction over health and human services
matters, one representative of community-based organizations
40 working with children and their families and one representative
of parents.

42
44 3. The following commissioners or their designees are
members: the Commissioner of Human Services; the Commissioner of
Education; the Commissioner of Corrections; the Commissioner of
46 Mental Health, Mental Retardation and Substance Abuse Services;
and the Commissioner of Public Safety.

4. The first named Senate member is the Senate chair and the first named Representative member is the House chair; and be it further

Sec. 3. Appointments. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council upon making their appointments. When the appointment of all members is complete, the Chairs shall call and convene the first meeting of the commission no later than September 1, 1999; and be it further

Sec. 4. Duties. Resolved: That the commission shall study truancy problems, children who run away from their homes, emancipation of children and other factors that cause children to be in need of services. In examining these issues, the commission shall consult with children, children's groups and organizations, schools and community-based organizations serving children and their families; and be it further

Sec. 5. Staff assistance. Resolved: The commission may request staffing and clerical assistance from the Legislative Council; and be it further

Sec. 6. Reimbursement. Resolved: That the commission members who are Legislators are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement for necessary expenses for each day's attendance at meetings of the commission. Public members not otherwise compensated by their employers or other entities whom they represent are entitled to receive reimbursement of necessary expenses and a per diem equal to the legislative per diem. The Executive Director of the Legislative Council shall administer the commission's budget; and be it further

Sec. 7. Report. Resolved: That the commission shall submit its report with any accompanying legislation to the Joint Standing Committee on Health and Human Services by December 1, 1999. The commission may request an extension of the reporting date from the Legislative Council if it finds that it is unable to complete its work by December 1, 1999.

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

SUMMARY

This resolve establishes the Commission to Study Children in Need of Services. The commission is charged with reviewing

2 truancy problems, children who run away from their homes,
emancipation of children and other factors that cause children to
4 be in need of services. The commission is required to report to
the Joint Standing Committee on Health and Human Services by
December 1, 1999.