

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

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Legislative Document

No. 1067

S.P. 384

In Senate, March 1, 2005

**Resolve, To Establish the Task Force To Study and Design a Child  
Protection Mediation System**

(EMERGENCY)

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Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator MITCHELL of Kennebec.  
Cosponsored by Representative PELLETIER-SIMPSON of Auburn and  
Senators: BARTLETT of Cumberland, BROMLEY of Cumberland, HOBBS of York,  
Representative: BRYANT-DESCHENES of Turner.

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           **Whereas,** this resolve creates the Task Force to Study and  
Design a Child Protection Mediation System; and

8           **Whereas,** the study must be initiated before the 90-day  
period expires in order that the study may be completed and a  
report submitted in time for submission to the next legislative  
session; and

12           **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  
necessary for the preservation of the public peace, health and  
safety; now, therefore, be it

18           **Sec. 1. Task force established. Resolved:** That the Task Force to  
Study and Design a Child Protection Mediation System, referred to  
in this resolve as "the task force," is established; and be it  
further

24           **Sec. 2. Task force membership. Resolved:** That the task force  
consists of 6 members appointed as follows:

26           1. One member of the Senate, appointed by the President of  
the Senate;

30           2. One member of the House of Representatives, appointed by  
the Speaker of the House;

32           3. One member representing the Maine State Bar Association,  
appointed by the President of the Senate;

36           4. The Attorney General or the Attorney General's designee;

38           5. The Commissioner of the Department of Health and Human  
Services or the commissioner's designee; and

40           6. The Director of Court Alternative Dispute Resolution  
Services or the director's designee; and be it further

44           The task force shall ask the Chief Justice of the Supreme  
Judicial Court to designate a judge from the Supreme Judicial  
Court to act as an advisor to the task force.

48           **Sec. 3. Chairs. Resolved:** That the Senate member is the  
Senate chair of the task force and the House of Representatives  
member is the House chair of the task force; and be it further

50

2           **Sec. 4. Appointments; convening of task force. Resolved:** That all  
4 appointments must be made no later than 30 days following the  
6 effective date of this resolve. The appointing authorities shall  
8 notify the Executive Director of the Legislative Council once all  
10 appointments have been completed. Within 15 days after  
12 appointment of all members, the chairs shall call and convene the  
14 first meeting of the task force; and be it further

10           **Sec. 5. Duties. Resolved:** That the task force shall hold  
12 meetings at various locations in the State, to be determined by  
14 the chairs. The task force shall:

14           1. Design a child protective mediation system;

16           2. Recommend qualifications for mediators;

18           3. Identify a stable funding source for the child  
20 protective mediation system; and

22           4. Identify and discuss other issues relevant to designing  
24 the system; and be it further

24           **Sec. 6. Staff assistance. Resolved:** That, upon approval of the  
26 Legislative Council, the Office of Policy and Legal Analysis  
28 shall provide necessary staffing services to the task force; and  
30 be it further

30           **Sec. 7. Compensation. Resolved:** That the legislative members  
32 of the task force are entitled to receive the legislative per  
34 diem, as defined in the Maine Revised Statutes, Title 3, section  
36 2, and reimbursement for travel and other necessary expenses  
38 related to their attendance at authorized meetings of the task  
40 force. Public members not otherwise compensated by their  
employers or other entities that they represent are entitled to  
receive reimbursement of necessary expenses and, upon a  
demonstration of financial hardship, a per diem equal to the  
legislative per diem for their attendance at authorized meetings  
of the task force; and be it further

42           **Sec. 8. Report. Resolved:** That, no later than December 1,  
44 2005, the task force shall submit a report that includes its  
46 findings and recommendations, including suggested legislation,  
48 for presentation to the Second Regular Session of the 122nd  
Legislature. The task force is authorized to introduce  
legislation related to its report to the Second Regular Session  
of the 122nd Legislature at the time of submission of its report;  
and be it further

