

# MAINE STATE LEGISLATURE

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Date: 3-27-08

(Filing No. S-511 )

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STATE OF MAINE  
SENATE  
123RD LEGISLATURE  
SECOND REGULAR SESSION

SENATE AMENDMENT "K" to COMMITTEE AMENDMENT "A" to H.P. 1547, L.D. 2173, Bill, "An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2008 and June 30, 2009"

Amend the amendment by inserting after Part MMMM the following:

PART NNNN

**Sec. NNNN-1. Blue Ribbon Commission on Mental Health.** The Blue Ribbon Commission on Mental Health, referred to in this Part as "the commission," is established for the purpose of making recommendations regarding the design of a mental health system that maximizes resources, creates efficiencies, ensures high-quality service and reduces or eliminates direct mental health services only as a last resort during severe budget crises.

- 1. Membership.** The commission consists of 17 members:
  - A. Two members of the Senate who serve on the Joint Standing Committee on Health and Human Services, one from each of the major political parties, appointed by the President of the Senate;
  - B. Four members of the House of Representatives who serve on the Joint Standing Committee on Health and Human Services, 2 members each from the major political parties, appointed by the Speaker of the House;
  - C. The Commissioner of Health and Human Services or the commissioner's designee;
  - D. An official from the Department of Health and Human Services who has principal authority for child mental health services in the department, appointed by the Governor;
  - E. An official from the Department of Health and Human Services who has principal authority for adult mental health services in the department, appointed by the Governor;

**SENATE AMENDMENT**

- 1 F. An official from the Department of Health and Human Services who has principal  
2 authority for elder mental health services in the department, appointed by the  
3 Governor;
- 4 G. Two mental health providers, appointed by the President of the Senate;
- 5 H. Two mental health providers, appointed by the Speaker of the House;
- 6 I. A representative from the National Alliance on Mental Illness - Maine, appointed  
7 jointly by the President of the Senate and the Speaker of the House;
- 8 J. A present or past consumer of mental health services, appointed by the Speaker of  
9 the House; and
- 10 K. A family member of a present or past consumer of mental health services,  
11 appointed by the President of the Senate.

12 **2. Appointments; chair.** All appointments must be made no later than 30 days  
13 following the effective date of this Part. The appointing authorities shall notify the  
14 Executive Director of the Legislative Council once all appointments have been  
15 completed. The first-named Senate member and the first-named House of Representatives  
16 member are cochairs of the commission and shall call and convene the first meeting of  
17 the commission no later than September 1, 2008.

18 **3. Duties.** The commission shall complete an assessment of the State's mental  
19 health system and suggest measures to maximize resources, create efficiencies, ensure  
20 high-quality service and design a system that reduces or eliminates direct mental health  
21 services only as a last resort during severe budget crises.

22 **4. Authorized number of meetings; public comment.** The commission is  
23 authorized to hold 8 meetings, including at least one meeting at which the commission  
24 provides an opportunity for public comment.

25 **5. Report.** By April 1, 2009, the commission shall submit a report of its findings,  
26 together with any necessary implementing legislation, to the joint standing committee of  
27 the Legislature having jurisdiction over health and human services matters. The joint  
28 standing committee may report out a bill during the First Regular Session of the 124th  
29 Legislature concerning the findings and recommendations of the commission.

30 **6. Extension.** If the commission requires a limited extension of time to complete its  
31 study and make its report, it may apply to the Legislative Council, which may grant an  
32 extension.

33 **7. Compensation.** The legislative members of the commission are entitled to receive  
34 the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and  
35 reimbursement for travel and other necessary expenses related to their attendance at  
36 authorized meetings of the commission. Public members not otherwise compensated by  
37 their employers or other entities that they represent are entitled to receive reimbursement  
38 of necessary expenses and a per diem equal to the legislative per diem for their  
39 attendance at authorized meetings of the commission.

40 **8. Outside funding for consultant.** The commission may seek outside funds to fund  
41 the costs of contracting with a consultant or expert to provide support to the commission.  
42 Contributions to support the work of the commission may not be accepted from any party

1 having pecuniary or other vested interest in the outcome of the matters being studied.  
 2 Any person, other than a state agency, desiring to make a financial or in-kind contribution  
 3 must certify to the Legislative Council that it has no pecuniary or other vested interest in  
 4 the outcome of the study. Such certification must be made in the manner prescribed by  
 5 the Legislative Council. All contributions are subject to approval by the Legislative  
 6 Council. All funds accepted must be forwarded to the Executive Director of the  
 7 Legislative Council along with an accounting record that includes the amount of funds,  
 8 the date the funds were received, from whom the funds were received and the purpose of  
 9 and any limitation on the use of those funds. The Executive Director of the Legislative  
 10 Council shall administer any funds received by the commission. The Executive Director  
 11 of the Legislative Council shall notify the chair of the commission when sufficient  
 12 funding has been received.

13 **9. Staffing.** The Department of Health and Human Services shall provide staffing  
 14 assistance to the commission.

15 **10. Commission meetings.** The meetings of the commission are public proceedings  
 16 and records of the commission are public records as defined in the laws governing  
 17 freedom of access in the Maine Revised Statutes, Title 1, chapter 13, subchapter 1.

18 **Sec. NNNN-2. Appropriations and allocations.** The following appropriations  
 19 and allocations are made.

20 **LEGISLATURE**

21 **Study Commissions - Funding 0444**

22 Initiative: Appropriates funds for the Blue Ribbon Commission on Mental Health.

23	<b>GENERAL FUND</b>	<b>2007-08</b>	<b>2008-09</b>
24	Personal Services	\$0	\$5,280
25	All Other	\$0	\$17,200
26			
27	<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$22,480</b>

28  
 29 Amend the amendment by relettering or renumbering any nonconsecutive Part letter  
 30 or section number to read consecutively.

31 **SUMMARY**

32 This amendment establishes the Blue Ribbon Commission on Mental Health to  
 33 complete an assessment of the State's mental health system and suggest measures to

SENATE AMENDMENT "K" to COMMITTEE AMENDMENT "A" to H.P. 1547, L.D. 2173

1 maximize resources, create efficiencies, ensure high-quality service and design a system  
2 that reduces or eliminates direct mental health services only as a last resort during severe  
3 budget crises.

4 **FISCAL NOTE REQUIRED**

5 (See attached)

6 SPONSORED BY: \_\_\_\_\_

7 (Senator RAYE)

8 COUNTY: Washington



# 123rd MAINE LEGISLATURE

LD 2173

LR 3445(22)

**An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2008 and June 30, 2009**

**Fiscal Note for Senate Amendment " K " to Committee Amendment "A"**

**Sponsor: Sen. Raye of Washington**

**Fiscal Note Required: Yes**

## Fiscal Note

	2007-08	2008-09	Projections 2009-10	Projections 2010-11
<b>Net Cost (Savings)</b>				
General Fund	\$0	\$22,480	\$0	\$0
<b>Appropriations/Allocations</b>				
General Fund	\$0	\$22,480	\$0	\$0

### Fiscal Detail and Notes

This amendment will increase the General Fund cost of the bill by \$22,480 in fiscal year 2008-09. Based on the estimated year-end balances, a balanced budget is not maintained for the 2008-2009 biennium.