

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST SPECIAL SESSION-2023

Legislative Document

No. 1754

S.P. 700

In Senate, April 20, 2023

**Resolve, to Establish the Commission to Study the Delivery of
Services to Children and Families**

(EMERGENCY)

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator CURRY of Waldo.
Cosponsored by Representative GRAHAM of North Yarmouth and
Senators: BENNETT of Oxford, HICKMAN of Kennebec, INGWERSEN of York,
Representatives: SHAGOURY of Hallowell, STOVER of Boothbay.

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

3 **Whereas,** this legislation establishes the Commission to Study the Delivery of
4 Services to Children and Families to study issues relating to establishing a new state
5 department focused solely on improving services for children and families; and

6 **Whereas,** this legislation must take effect before the expiration of the 90-day period
7 so that the commission may timely meet and make its report to the Legislature; and

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

12 **Sec. 1. Commission established. Resolved:** That the Commission to Study the
13 Delivery of Services to Children and Families, referred to in this resolve as "the
14 commission," is established.

15 **Sec. 2. Commission membership. Resolved:** That, notwithstanding Joint Rule
16 353, the commission consists of the following 15 members:

17 1. Two members of the Senate appointed by the President of the Senate, including one
18 member of the party holding the largest number of seats in the Legislature and one member
19 of the party holding the 2nd largest number of seats in the Legislature;

20 2. Two members of the House of Representatives appointed by the Speaker of the
21 House of Representatives, including one member of the party holding the largest number
22 of seats in the Legislature and one member of the party holding the 2nd largest number of
23 seats in the Legislature;

24 3. One member who is an expert on improving access to early childhood care and
25 education, appointed by the President of the Senate;

26 4. One member who is an expert on improving outcomes for children and families who
27 have received services from multiple state agencies, appointed by the President of the
28 Senate;

29 5. Two members who are parents with experience accessing state services, one
30 appointed by the President of the Senate and one appointed by the Speaker of the House of
31 Representatives;

32 6. One member who is an expert on improving outcomes for children receiving child
33 welfare services, appointed by the Speaker of the House of Representatives;

34 7. One member of a federally recognized Indian nation, tribe or band in the State,
35 appointed by the Speaker of the House of Representatives based on the joint
36 recommendations of the tribal governments of the Mi'kmaq Nation, the Houlton Band of
37 Maliseet Indians, the Passamaquoddy Tribe at Motahkomikuk, the Passamaquoddy Tribe
38 at Sipayik and the Penobscot Nation. If the tribal governments do not make a unanimous
39 joint recommendation, the Speaker of the House shall appoint one member of a federally
40 recognized Indian nation, tribe or band in the State;

1 8. One member who is a representative of a statewide organization representing Head
2 Start programs in the State, appointed by the Governor;

3 9. One member who is a member of the Juvenile Justice Advisory Group under the
4 Maine Revised Statutes, Title 34-A, section 1209, appointed by the Governor;

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

6 11. The Director of the Office of Child and Family Services within the Department of
7 Health and Human Services or the director's designee; and

8 12. The State Director of Child Development Services within the Department of
9 Education or the director's designee.

10 **Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate chair
11 and the first-named House of Representatives member is the House chair of the
12 commission.

13 **Sec. 4. Appointments; convening of commission. Resolved:** That all
14 appointments must be made no later than 30 days following the effective date of this
15 resolve. The appointing authorities shall notify the Executive Director of the Legislative
16 Council once all appointments have been completed. After appointment of all members,
17 the chairs shall call and convene the first meeting of the commission. If 30 days or more
18 after the effective date of this resolve a majority of but not all appointments have been
19 made, the chairs may request authority and the Legislative Council may grant authority for
20 the commission to meet and conduct its business.

21 **Sec. 5. Duties. Resolved:** That the commission shall study issues relating to
22 establishing a new state department focused solely on improving services for children and
23 families. The study must include a review of various methods for reorganizing the structure
24 of state services for children and families.

25 **Sec. 6. Work groups and agency assistance. Resolved:** That the commission
26 may form work groups composed of community-based providers, children, foster and
27 adoptive parents and individuals with expertise in organizational restructuring. Upon
28 request from the commission, a state agency, board or commission shall provide assistance
29 to the commission, including providing data that is public and not confidential.

30 **Sec. 7. Staff assistance. Resolved:** That the Legislative Council shall provide
31 necessary staffing services to the commission, except that Legislative Council staff support
32 is not authorized when the Legislature is in regular or special session.

33 **Sec. 8. Report. Resolved:** That, no later than December 6, 2023, the commission
34 shall submit a report that includes its findings and recommendations, including suggested
35 legislation, to the Joint Standing Committee on Health and Human Services. The report
36 must include a proposed reorganization of state services for children and families;
37 identification of the agencies, commissions and other functions of State Government that
38 should be included in the new department; a clear mission statement for the new
39 department; estimated costs for the proposed reorganization, including costs related to
40 information technology and capital costs; a process for managing the proposed
41 reorganization, including the involvement of regional management and staff; and
42 measurable benchmarks for assessing the effectiveness of the proposed reorganization.

1 The committee may submit legislation related to the report to the Second Regular Session
2 of the 131st Legislature.

3 **Emergency clause.** In view of the emergency cited in the preamble, this legislation
4 takes effect when approved.

5 **SUMMARY**

6 This resolve creates the Commission to Study the Delivery of Services to Children and
7 Families to study issues related to establishing a new state department focused solely on
8 improving services for children and families. The commission must submit a report to the
9 Joint Standing Committee on Health and Human Services and the committee is authorized
10 to submit legislation to the Second Regular Session of the 131st Legislature.