

MAINE STATE LEGISLATURE

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P.O.S.
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L.D. 1913

DATE: 4-12-04

(Filing No. H-890)

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HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
SECOND SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1414, L.D. 1913, Bill, "An Act To Establish the Department of Health and Human Services"

Amend the bill by striking out everything after the title and before the summary and inserting in its place the following:

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

Whereas, the establishment of the new Department of Health and Human Services on July 1, 2004 is necessary for the orderly transition of the Department of Human Services and the Department of Behavioral and Developmental Services to the new department; and

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 enacted by the People of the State of Maine as follows:

PART A

Sec. A-1. 22-A MRSA is enacted to read:

TITLE 22-A

COMMITTEE AMENDMENT

2 **Sec. B-4. Interim meetings; authorized.** The joint standing
4 committee of the Legislature having jurisdiction over health and
6 human services matters is authorized to meet as needed, but at
8 least 3 times, during the 2004 legislative interim to carry out
10 its responsibilities to oversee planning, service delivery and
12 implementation issues related to the establishment of the
14 Department of Health and Human Services. At these meetings, the
Commissioner of Health and Human Services shall brief the
committee on planning issues, progress, challenges and the time
line for implementation. The committee shall provide
opportunities for consumers, providers and advocates to speak to
the committee. The committee may submit legislation to the First
Regular Session of the 122nd Legislature based on these meetings.

16 **Sec. B-5. Working groups.** During the period from July 2004
18 through December 2005, the Commissioner of Health and Human
20 Services shall convene advisory working groups to consider
22 planning, service delivery and implementation issues related to
24 the establishment of the Department of Health and Human
Services. The working groups shall review the issues identified
in Part B, section 1, subsection 10. The working groups must
include broad representation from consumers, providers, advocates
and members of the public.

26 **Sec. B-6. Maine Revised Statutes amended; revision clause.**
28 Wherever in the Maine Revised Statutes the words "Department of
30 Human Services" or "Department of Behavioral and Developmental
32 Services" appear or reference is made to either of those
34 departments with reference to the duties transferred to the
36 Department of Health and Human Services as set forth in this Act,
they are amended to read or mean, as the case may be, "Department
of Health and Human Services." The Revisor of Statutes shall
implement this revision when updating, publishing or republishing
statutes.

38 **Sec. B-7. Maine Revised Statutes amended; revision clause.**
40 Wherever in the Maine Revised Statutes the words "Commissioner of
42 Human Services" or "Commissioner of Behavioral and Developmental
44 Services" appear or reference is made to either of these
46 positions with reference to the duties transferred to the
Commissioner of Health and Human Services as set forth in this
Act, they are amended to read or mean, as the case may be,
"Commissioner of Health and Human Services." The Revisor of
Statutes shall implement this revision when updating, publishing
or republishing the statutes.

48 **Sec. B-8. Budget.** The Department of Administrative and
50 Financial Services, Bureau of Budget shall work with the
employees of the Department of Human Services and the Department