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Date: (Filing No. S-)

HEALTH AND HUMAN SERVICES

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

132ND LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT “ ” to S.P. 217, L.D. 555, “An Act to Create a Separate Department of Child and Family Services”

Amend the bill in Part A in section 2 in Title 22-B in Sub-t. 1 in c. 1 in sub-c. 2 in §203 by inserting after subsection 2 the following:

3. Prohibition on previous leadership. Notwithstanding subsections 1 and 2, a person who has held the position of commissioner or deputy commissioner of the Department of Health and Human Services at any time between January 1, 2019 and January 6, 2027 may not be appointed to the position of commissioner or deputy commissioner pursuant to this section.'

Amend the bill in Part A in section 2 in Title 22-B in Sub-t. 1 in c. 1 in sub-c. 2 in §204 in subsection 4 in the last line (page 4, line 5 in L.D.) by inserting after the following: "office." the following: 'A person who has held the position of director or deputy director or associate director of the Department of Health and Human Services, Office of Child and Family Services at any time between January 1, 2019 and January 6, 2027 may not be appointed to the position of deputy commissioner or office director pursuant to this subsection.'

Amend the bill in Part A by striking out all of section 3 and inserting the following:

'Sec. A-3. Effective date. This Part takes effect July 1, 2027.'

Amend the bill in Part B in section 1 by striking out all of subsection 7 (page 5, lines 21 to 27 in L.D.) and inserting the following:

'7. With the exception of a commissioner or deputy commissioner of the Department of Health and Human Services or a director or deputy director or associate director of the Office of Child and Family Services, an employee of the Department of Child and Family Services who was an employee of the Department of Health and Human Services immediately prior to the effective date of this Act retains all the employee's rights, privileges and benefits, including sick leave, vacation and seniority, provided under the Civil Service Law or collective bargaining agreements. Any person who has been employed as a commissioner or deputy commissioner of the Department of Health and

COMMITTEE AMENDMENT

1 Human Services or a director or deputy director or associate director of the Office of Child
 2 and Family Services at any time since January 1, 2019 may not be employed by the
 3 Department of Child and Family Services. The Department of Administrative and
 4 Financial Services, Bureau of Human Resources shall provide assistance to the affected
 5 departments and shall assist with the orderly implementation of this subsection.'

6 Amend the bill in Part B in section 1 in subsection 8 in the first line (page 5, line 28 in
 7 L.D.) by striking out the following: "2026" and inserting the following: '2027'

8 Amend the bill in Part B in section 1 in subsection 8 in the 2nd line (page 5, line 29 in
 9 L.D.) by inserting after the following: "report" the following: 'with a transition plan'

10 Amend the bill in Part B in section 3 by striking out the last two sentences (page 6,
 11 lines 8 to 11 in L.D.) and inserting the following: 'By November 30, 2027, the
 12 commissioner and the committee shall agree on the format and organization of Title 22-B.
 13 By November 30, 2027, the commissioner shall submit the legislation developed pursuant
 14 to this section to the Second Regular Session of the 133rd Legislature.'

15 Amend the bill in Part B in section 4 in the 3rd line (page 6, line 14 in L.D.) by striking
 16 out the following: "2025" and inserting the following: '2026'

17 Amend the bill in Part B in section 4 in the 2nd to last line (page 6, line 20 in L.D.) by
 18 striking out the following: "Second Regular Session of the 132nd Legislature" and inserting
 19 the following: '133rd Legislature in 2027'

20 Amend the bill in Part B by inserting after section 6 the following:

21 '**Sec. B-7. Appropriations and allocations.** The following appropriations and
 22 allocations are made.

23 **CHILD AND FAMILY SERVICES, DEPARTMENT OF**
 24 **Child and Family Services Central Office N372**

25 Initiative: Establishes one Department Commissioner position, one Deputy Commissioner
 26 position, one Public Service Manager III position, 3 Public Service Manager II positions,
 27 one Public Service Coordinator III position, 2 Public Service Coordinator II positions, 2
 28 Public Service Coordinator I positions, one Commissioner Services Manager position, one
 29 Integrated Systems Manager position, 2 Staff Auditor positions, 2 Management Analyst II
 30 positions, one Office Specialist II position, one Office Specialist I Manager Supervisor
 31 position and one Secretary Specialist Supervisor position to staff the newly created
 32 Department of Child and Family Services commissioner's office. This initiative also
 33 provides the related All Other costs.

34 GENERAL FUND	2025-26	2026-27
35 POSITIONS - LEGISLATIVE COUNT	0.000	20.000
36 Personal Services	\$0	\$3,313,756
37 All Other	\$0	\$2,103,521
38		
39 GENERAL FUND TOTAL	\$0	\$5,417,277

40 '

41 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
 42 number to read consecutively.

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SUMMARY

This amendment is the minority report of the committee. It changes the reporting and effective dates from 2026 to 2027. It requires the Commissioner of Child and Family Services to include a transition plan with the report to the joint standing committee of the Legislature having jurisdiction over child welfare matters regarding the establishment and implementation of the Department of Child and Family Services. It prohibits any person who served as a commissioner or deputy commissioner of the Department of Health and Human Services or as a director or deputy director or associate director of the Office of Child and Family Services between January 1, 2019 and January 6, 2027 from being employed at the Department of Child and Family Services. It also adds an appropriations and allocations section.

FISCAL NOTE REQUIRED
(See attached)