

collections. If there were only one person that was in RICA for 180 days, the amount would be $\$100 \times 1 \times 180 = \$18,000$. If there were two persons in RICA each with 180 days, the amount would be $\$100 \times 2 \times 360 = \$72,000$ (or four times the amount for one). Using the literal language of the bill and the estimates for the fiscal note of 191 patients with an average of 365 days, the cost would be \$1.3 billion. The intent was probably to multiply the census by the average bed days, but that is not the language in the bill. When the calculation is done, the obligation is not subtracted as is described in the introductory section.

The State has not yet started collecting the Federal reimbursement funds referred to in the bill and until we do so, there is tremendous uncertainty as to how much will be collected and what the General Fund obligation for the private facilities will be (since the State has never before had any obligation to fund placements in private facilities). The fiscal note estimate \$4,526,000 is very speculative and the estimates used for the budget are different from what is indicated in the fiscal note.

This bill presents the added problem of requiring monies to be placed in Fiscal Year 1988 for services that in practice would be an on-going requirement.

The Constitutional provision added in 1978 permitting the General Assembly to mandate future executive budget funding levels contemplates that a bill lay out a mathematic formula or other method of establishing a specific amount, outside executive discretion. This bill's formula is so unclear as to make whatever funding level is proposed highly questionable, and a possible subject of litigation.

While we could support the concept of additional monies for community programs for mentally ill youth, this Department opposes this bill which dedicates General Funds to particular programs. The level of support for programs for mentally ill youths should be subject to the same budgetary review which is applied to programs for mentally ill adults and to the budget in general.

For the above reasons, we would respectfully request a veto of Senate Bill 1061.

Sincerely,
H. Louis Stettler, III
Secretary

Senate Bill No. 1061

AN ACT concerning

Mental Hygiene Administration - Supplemental
Funding - Community Services