

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1955

H.P. 1356

House of Representatives, March 18, 1999

An Act Regarding Youth Residence Laws.

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

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative BOLDUC of Auburn.
Cosponsored by Representative MENDROS of Lewiston,
Senator BERUBE of Androscoggin and
Representatives: CHIZMAR of Lisbon, DUDLEY of Portland, DUGAY of Cherryfield,
JACOBS of Turner, ROWE of Portland, SAMSON of Jay, TESSIER of Fairfield,
WILLIAMS of Orono.

2 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 22 MRSA c. 1071, sub-c. XIV is enacted to read:**

6 **SUBCHAPTER XIV**

8 **RUNAWAY AND HOMELESS YOUTH**

10 **§4095. Short title**

12 This subchapter may be known as the "Runaway and Homeless Youth Act of 1999."

14 **§4096. Definitions**

16 As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

18 1. **Emergency shelter.** "Emergency shelter" means a program certified by the department as providing short-term residential care to runaway and homeless youth.

20 2. **Homeless youth.** "Homeless youth" means a person over 12 years of age and under 21 years of age who does not have safe housing that serves as an ongoing place of residence.

22 3. **Runaway youth.** "Runaway youth" means a person over 12 years of age and under 18 years of age who leaves and remains away from home without permission from the person's parent or other legal guardian.

24 4. **Transitional living program.** "Transitional living program" means a community-based program certified by the department as providing long-term residential care and supportive services to runaway and homeless youth.

26 **§4097. Youth services**

28 1. **Street outreach.** The department shall enhance the accessibility of the following resources for runaway and homeless youth:

30 A. **Street outreach and drop-in services that seek to contact and engage youth at risk of sexual exploitation; and**

32 B. **Street outreach and drop-in services that provide food, clothing, shelter, crisis, counseling, case management and HIV prevention and other health services.**

2 2. Emergency shelters. Emergency shelters shall:

4 A. Provide stable, temporary, out-of-home placement for
6 runaway and homeless youth;

8 B. Work to reunite a runaway or homeless youth with the
10 youth's parents or other legal guardian or custodian unless
12 reunification is not in the best interest of the youth;

14 C. Permit a runaway or homeless youth who has not attained
16 18 years of age to reside at the emergency shelter for a
18 period not to exceed 30 days without permission from the
20 youth's parent or other legal guardian. The period of
22 residence in an emergency shelter may be extended for an
24 additional 30 days for such a youth with the written
26 permission of the youth's parent or other legal guardian;

28 D. Permit a homeless youth who has attained the age of 18
30 years to reside at an emergency shelter for a period not to
32 exceed 60 days; and

34 E. Except as otherwise provided in this paragraph, notify
36 the parent or other legal guardian of the admission into the
38 emergency shelter of a runaway or homeless youth who has not
40 attained the age of 18 years within 24 hours of the
42 admission. Notification must include information pertaining
44 to the youth's physical and emotional condition and the
46 circumstances surrounding the youth's presence at the
48 shelter. Notification may not be given if compelling
50 reasons, such as the youth's report of domestic violence at
 the parent's or guardian's residence or of abuse or neglect
 of the youth, exist.

3. Transitional living programs. Transitional living
 programs shall:

A. Provide long-term residential care to runaway and
 homeless youth; and

B. Assist runaway and homeless youth to achieve
 independence through direct provision of services or by
 referral to other agencies for services including:

(1) High school education or high school equivalency
 skills attainment;

(2) Higher education assessment;

(3) Job training and job placement;

2 (4) Assistance in the development of social skills;

4 (5) Assistance in securing housing appropriate to
needs and income; and

6 (6) Training in skills necessary for responsible
independent living.

8
10 **§4098. Interagency task force**

12 The Interagency Task Force on Homelessness and Housing
Opportunities, established in Title 30-A, chapter 202, subchapter
V, and the department shall:

14 1. Report. Report on the situation of runaway and homeless
youth including:

18 A. A description of the runaway and homeless youth
population and services needed;

20 B. A list of all public and private resources available to
runaway and homeless youth related to the services needed;

22 C. A description of gaps in services needed by runaway and
homeless youth and recommendations for developing these
services;

24 D. Criteria and procedures for the care of runaway and
homeless youth using the least restrictive alternatives; and

26 E. Criteria and procedures for the coordination of services
to runaway and homeless youth among law enforcement, mental
health and human services agencies.

28 2. Education review. Annually review the success of state
and federal laws in securing the right of runaway and homeless
youth to an education.

30 3. Plan. Develop a plan for the handling of and provision
of services to runaway and homeless youth throughout the State.
The plan must focus on providing services through the department
contracting for these services. The plan must be evaluated
annually for effectiveness and revised if necessary.

34
36 **§4099. Rules**

38 The department shall adopt rules necessary to carry out the
provisions of this subchapter. Rules adopted pursuant to this
section are major substantive rules as defined in Title 5,
chapter 375, subchapter II-A.

SUMMARY

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4 This bill establishes the Department of Human Services as
6 the agency responsible for studying, planning for and creating
8 services for runaway and homeless youth. The services will seek
10 to address needs of youth who are without families, who may be
12 exploited, who suffer greater health, mental health and
14 educational problems than the general population and who have
less access to appropriate services. The bill seeks to develop a
system of coordinated services for runaway and homeless youth
through street outreach, emergency shelters and transitional
living programs. The bill involves the Interagency Task Force on
Homelessness and Housing Opportunities in these efforts.