

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2000

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Legislative Document

No. 2679

S.P. 1076

In Senate, April 7, 2000

**An Act to Establish the Council on Children and Families and to Ensure  
the Continuation of the Governor's Children's Cabinet.**

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Reported by Senator BERUBE of Androscoggin for the Joint Standing Committee on  
Education and Cultural Affairs pursuant to Joint Order S.P. 598.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

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

**Sec. 1. 5 MRSA §12004-I, sub-§65**, as amended by PL 1993, c. 738, Pt. B, §1 and affected by §9, is repealed.

**Sec. 2. 5 MRSA §12004-L, sub-§7**, as amended by PL 1993, c. 738, Pt. B, §2 and affected by §9, is repealed.

**Sec. 3. 5 MRSA §12004-L, sub-§9**, as amended by PL 1993, c. 738, Pt. B, §2 and affected by §9, is repealed.

**Sec. 4. 5 MRSA §12004-L, sub-§12** is enacted to read:

<u>12. Council on</u>	<u>Legislative</u>	<u>5 MRSA</u>
<u>Children and Families</u>	<u>Per Diem</u>	<u>19121</u>
	<u>and Expenses</u>	

**Sec. 5. 5 MRSA c. 437**, as amended, is repealed.

**Sec. 6. 5 MRSA cc. 438 and 439** are enacted to read:

**CHAPTER 438**

**COUNCIL ON CHILDREN AND FAMILIES**

**§19121. Council on Children and Families**

**1. Establishment.** The Council on Children and Families, as established by section 12004-L, subsection 12, is referred to in this chapter as the "council."

**2. Membership.** The council is composed of the following members: the Commissioner of Corrections; the Commissioner of Education; the Commissioner of Human Services; the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services; the Commissioner of Public Safety; and 7 Legislators, who are each appointed for a 2-year term as follows:

**A.** The President of the Senate shall appoint one member from each of the following committees: the joint standing committee of the Legislature having jurisdiction over criminal justice matters; the joint standing committee of the Legislature having jurisdiction over education and cultural affairs; and the joint standing committee of the Legislature having jurisdiction over health and human services matters; and

**B.** The Speaker of the House shall appoint one member from each of the following committees: the joint standing committee of the Legislature having jurisdiction over

2 criminal justice matters; the joint standing committee of  
3 the Legislature having jurisdiction over appropriations and  
4 financial affairs; the joint standing committee of the  
5 Legislature having jurisdiction over education and cultural  
6 affairs; and the joint standing committee of the Legislature  
7 having jurisdiction over health and human services matters.

8 The council shall ask the Chief Justice of the Supreme Judicial  
9 Court to serve as a member of the council.

10  
11 3. Chair. At the first meeting each year, the members  
12 shall elect a person from among the membership to serve as chair  
13 for a term of one year. The chair may not serve more than 2  
14 terms consecutively.

15 **§19122. Purposes of the council; goals**

16  
17 The purposes of the council are to receive reports from and  
18 advise and make policy recommendations to the Governor, the  
19 Children's Cabinet, the Legislature and the judiciary regarding  
20 the following goals:

21  
22 1. Encourage coordinated system. To encourage a statewide  
23 system of coordinated education and social services, including  
24 health, mental health, juvenile justice and public safety  
25 services, that is responsive to the current needs of children and  
26 families and that is delivered by a partnership of schools and  
27 public and private agencies; and to promote access to these  
28 services, including coordination of these services among  
29 departments and provider agencies, for all children and their  
30 families who are in need of these services;

31  
32 2. Promote coordinated budgets and policy. To promote a  
33 comprehensive and coordinated approach to departmental budgets  
34 and policy affecting education and social services, including  
35 health, mental health, juvenile justice and public safety  
36 services, to children and their families;

37  
38 3. Evaluate allocation of resources. To evaluate on a  
39 continuing basis the allocation of resources to ensure the  
40 availability of quality education and social services, including  
41 health, mental health, juvenile justice and public safety  
42 services, delivered in a coordinated and efficient manner that is  
43 consistent with the needs of children and their families;

44  
45 4. Evaluate program effectiveness. To evaluate on a  
46 continuing basis the effectiveness of programs to ensure that  
47 resources are used in accordance with subsections 1 to 3 and to  
48 promote the well-being of children and their families in the  
49 State; and  
50

2           5. Promote plan for information exchange. To promote a  
3           plan for the informal exchange of information among schools,  
4           service providers and local criminal justice agencies concerning  
5           children receiving education and social services, including  
6           health, mental health, juvenile justice and public safety  
7           services, provided that such a plan respects the confidentiality  
8           of information and the privacy interests of children and their  
9           families.

10           **§19123. Duties**

11           The council shall meet at least 3 times a year and shall  
12           report each year to the Governor, the Children's Cabinet  
13           established in chapter 439, the Legislature and the judiciary on  
14           its review of the progress made in meeting the goals cited in  
15           section 19122 and its policy recommendations and other proposals  
16           for meeting those goals in the forthcoming year. A copy of the  
17           report must be submitted to the joint standing committee of the  
18           Legislature having jurisdiction over appropriations and financial  
19           affairs, the joint standing committee of the Legislature having  
20           jurisdiction over criminal justice matters, the joint standing  
21           committee of the Legislature having jurisdiction over education  
22           and cultural affairs and the joint standing committee of the  
23           Legislature having jurisdiction over health and human services  
24           matters. A copy of the report must be made available to the  
25           public.

26           **§19124. Staffing; administration**

27           Staffing assistance for the council must be coordinated by  
28           the Office of the Governor. The council may request additional  
29           staffing assistance from the Legislative Council. Staffing  
30           assistance provided by the Legislative Council must be secondary  
31           to the staffing coordinated by the Office of the Governor. All  
32           funds received by and appropriated for the council must be  
33           coordinated by the Office of the Governor.

34                                   **CHAPTER 439**

35                                   **CHILDREN'S CABINET**

36           **§19131. Children's Cabinet**

37           1. Establishment. The Children's Cabinet, referred to in  
38           this chapter as the "cabinet," is established to promote  
39           interdepartmental collaboration on children's policy development  
40           and program implementation and to support the provision of  
41           services for Maine families and children that are planned,  
42           managed and delivered in a holistic and integrated manner to  
43           children and their families.

2 improve their self-sufficiency, safety, economic stability,  
3 health and quality of life.

4 **2. Membership.** The cabinet consists of the following  
5 members:

6 A. The Commissioner of Corrections;

8 B. The Commissioner of Education;

10 C. The Commissioner of Human Services;

12 D. The Commissioner of Mental Health, Mental Retardation  
14 and Substance Abuse Services; and

16 E. The Commissioner of Public Safety.

18 **3. Chair.** The Governor shall appoint one of the members to  
19 serve as chair of the cabinet. The term of the chair is 2 years.

22 **§19132. Duties of the cabinet**

24 The cabinet shall collaborate to create, manage and promote  
25 coordinated policies, programs and service delivery systems that  
26 support children, families and communities consistent with the  
27 purposes of this chapter. To accomplish these purposes, the  
28 cabinet shall carry out the following duties:

30 **1. Regional children's cabinets.** Appoint regional  
31 children's cabinets to ensure that the purposes of this chapter  
32 are implemented at the regional and local levels;

34 **2. Subcommittees.** Appoint subcommittees, which may include  
35 members from any public or private agency, advisory committee or  
36 any citizen, who has appropriate interest and expertise, as may  
37 be necessary to carry out the work of the cabinet;

38 **3. Coordinate funding; collaboration.** Coordinate funding  
39 and budgets among the departments of the cabinet related to child  
40 and family services in order to carry out the purpose of this  
41 chapter, collaborate to share resources, remove barriers and  
42 support initiatives that prevent health and behavioral problems  
43 in children;

44 **4. Planning and policy development.** Conduct long-range  
45 planning and policy development leading to a more effective  
46 public and private service delivery system;

2        5. Coordinated service delivery. Coordinate the delivery  
of residential and community-based children's services among the  
departments;

4  
6        6. Assessment. Assess resource capacity and allocations;

8        7. Policy and program review. Improve policies and  
programs through the review of specific case examples; and

10       8. Communication. Broadly communicate the work of the  
cabinet.

12       **§19133. Program implementation and oversight**

14  
16       The cabinet shall initiate, implement and oversee programs,  
policies and services consistent with the purposes of this  
chapter, which may include but are not limited to:

18  
20       1. Communities for Children. Supporting a collaborative  
effort between communities and State Government, known as  
Communities for Children, to effectively address problems facing  
22       the State's children and families by mobilizing the resources of  
State Government with resources and leadership at the community  
24       level;

26       2. Effectiveness indicators. Identifying indicators to  
measure child well-being to be used by Maine policy makers;

28  
30       3. Safe homes. Working to ensure that all children have a  
safe and permanent home;

32       4. Civil and caring school environments. Providing civil  
and caring school environments in which violence is eliminated  
34       and the health needs of students are provided for;

36       5. Supportive communities. Focusing community members and  
resources to support goal-setting, counseling and mentoring for  
38       every child;

40       6. Reducing suicide. Reducing the incidence of suicide  
among Maine youth and improving access to appropriate prevention  
42       and intervention services;

44       7. Access to information and referral. Ensuring easy  
access to information and referral services regarding child and  
46       family services;

48       8. Service coordination. Coordinating social services to  
children and their families as an integrated whole and  
50       facilitating access to all services needed by family members;

2           9. Ensuring services. Ensuring coordination of services to  
3 parents of children birth to 5 years of age; and

4           10. Local case review and resolution; pooled funds.  
5 Providing services to children with multiple needs within the  
6 child's community by supporting case review and resolution at the  
7 local level using appropriate funds pooled from each department  
8 of the cabinet.

10       **§19134. Funds**

12           The cabinet is authorized to solicit, receive and pool funds  
13 from the Federal Government, any political subdivision of the  
14 State or any individual, foundation or corporation and may expend  
15 those funds for purposes that are consistent with this chapter.

18       **§19135. Annual report**

20           The cabinet shall provide an annual report to the joint  
21 standing committee of the Legislature having jurisdiction over  
22 appropriations and financial affairs, the joint standing  
23 committee of the Legislature having jurisdiction over criminal  
24 justice matters, the joint standing committee of the Legislature  
25 having jurisdiction over education and cultural affairs and the  
26 joint standing committee of the Legislature having jurisdiction  
27 over health and human services matters, the Chief Justice of the  
28 Supreme Court and the Council on Children and Families. A copy  
29 of the report must be made available to the public.

30       **Sec. 7. Guiding principles.** Consistent with the purposes of  
31 the Children's Cabinet established under this Act and recognizing  
32 that children's needs are best met within the context of  
33 relationships within the child's family and community, the child  
34 and family serving system must ensure that:

36           A. Every child has the opportunity to be a child and has  
37 access to the education, resources and support to become a  
38 healthy and productive adult;

40           B. Every family recognizes the responsibilities and rewards  
41 of raising children and is provided the support necessary to  
42 fulfill the family role;

44           C. Supporting children to reach their full potential is a  
45 shared community responsibility that includes establishing  
46 and modeling clear standards of behavior; and

48           D. State agencies collaboratively support families and  
49 communities, keeping family and children at the center of  
50 all decisions.



2           **Sec. 8. Appropriation.** The following funds are appropriated  
4 from the General Fund to carry out the purposes of this Act.

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**2000-01**

**LEGISLATURE**

**Legislature**

Personal Services	\$1,155
All Other	1,050

Provides funds for the per diem and expenses of legislative members of the Council on Children and Families.

**LEGISLATURE  
TOTAL**

            
\$2,205

**FISCAL NOTE**

**2000-01**

**APPROPRIATIONS/ALLOCATIONS**

General Fund	\$2,205
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This bill includes a General Fund appropriation of \$2,205 in fiscal year 2000-01 for the per diem and expenses of legislative members of the Council on Children and Families. The estimated future costs beginning in fiscal year 2001-02 will be approximately \$2,205 annually.

The additional costs associated with providing staffing assistance to the council, if requested to do so during the interim between legislative sessions, can be absorbed by the Legislature utilizing existing budgeted resources. If the council requires staffing assistance during the legislative session, the Legislature may require an additional General Fund appropriation to contract for staff services.

The Office of the Governor, the Department of Corrections, the Department of Education, the Department of Human Services, the Department of Mental Health, Mental Retardation and Substance Abuse Services, the Department of Public Safety and the Judicial

2 Department will incur some minor additional costs to participate  
in the council and the Children's Cabinet and to submit the  
4 report required of the cabinet. These costs can be absorbed  
within the departments' existing budgeted resources.

6

## 8 SUMMARY

10 This bill establishes the Council on Children and Families  
to advise the Governor, certain state departments, the  
Legislature and the judiciary regarding the following goals: to  
12 encourage a coordinated system of education and services for  
children and families, to evaluate the allocation of resources,  
14 to promote coordinated budgets and policy, to evaluate program  
effectiveness and to promote an informal information exchange.  
16 The membership of 13 includes 5 commissioners of state  
departments, a judge and 7 Legislators. Staffing is provided  
18 primarily by the Governor's office, which also administers the  
budget.

20

22 This bill ensures that the Governor's Children's Cabinet,  
and the resultant collaboration on children's policy development  
and program implementation that it has created, will continue  
24 beyond the end of the current administration. Codifying the  
Governor's Children's Cabinet in statute and endorsing the  
26 expectation of interdepartmental program coordination and the use  
of so-called "pooled-flexible funds" to provide integrated  
28 programs and services to children and families was one of the  
recommendations of the Task Force to Study the Implementation of  
30 Alternative Programs and Interventions for Violent and  
Chronically Disruptive Students.