

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 1127

S.P. 418

In Senate, March 25, 2009

An Act To Define Services for Maine Runaway and Homeless Youth

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

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

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator ALFOND of Cumberland.
Cosponsored by Representative ROTUNDO of Lewiston and
Senators: BRANNIGAN of Cumberland, CRAVEN of Androscoggin, PERRY of Penobscot,
SIMPSON of Androscoggin, Representatives: BUTTERFIELD of Bangor, LAJOIE of
Lewiston, STEVENS of Bangor, STUCKEY of Portland.

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

2 Sec. 1. 22 MRSA c. 1071, sub-c. 15, as amended, is repealed.

3 Sec. 2. 22 MRSA c. 1071, sub-c. 16 is enacted to read:

4 **SUBCHAPTER 16**

5 **MAINE RUNAWAY AND HOMELESS YOUTH**

6 **§4099-D. Definitions**

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

9 **1. Homeless youth.** "Homeless youth" means a person 21 years of age or younger
10 who is unaccompanied by a parent or guardian and is without shelter where appropriate
11 care and supervision are available, whose parent or legal guardian is unable or unwilling
12 to provide shelter and care or who lacks a fixed, regular and adequate nighttime
13 residence. "Homeless youth" does not include a person incarcerated or otherwise detained
14 under federal or state law.

15 **2. Fixed, regular and adequate nighttime residence.** "Fixed, regular and adequate
16 nighttime residence" means a dwelling at which a person resides on a regular basis that
17 adequately provides safe shelter. "Fixed, regular and adequate nighttime residence" does
18 not include a publicly or privately operated institutional shelter designed to provide
19 temporary living accommodations; transitional housing; a temporary placement with a
20 peer, friend or family member who has not offered a permanent residence, residential
21 lease or temporary lodging for more than 30 days; or a public or private place not
22 designed for, nor ordinarily used as, a regular sleeping accommodation for human beings.

23 **3. Runaway.** "Runaway" means an unmarried child under 18 years of age who is
24 absent from the home of a parent or guardian or other lawful placement without the
25 consent of the parent, guardian or lawful custodian.

26 **§4099-E. Comprehensive program for homeless youth**

27 The department shall establish and support a comprehensive program for homeless
28 youth in the State by contracting with organizations and agencies licensed by the
29 department that provide street outreach, shelter and transitional living services for
30 homeless youth. The department shall by rule establish licensure requirements and shall
31 establish performance-based contracts with organizations and agencies to provide the
32 following programs and services:

33 **1. Street and community outreach and drop-in programs.** Youth drop-in centers
34 to provide walk-in access to crisis intervention and ongoing supportive services,
35 including one-to-one case management services on a self-referral basis and street and
36 community outreach programs to locate, contact and provide information, referrals and

1 services to homeless youth, youth at risk of homelessness and runaways. Information,
2 referrals and services provided may include, but are not limited to family reunification
3 services; conflict resolution or mediation counseling; assistance in obtaining temporary
4 emergency shelter; case management aimed at obtaining food, clothing, medical care or
5 mental health counseling; counseling regarding violence, prostitution, substance abuse,
6 sexually transmitted diseases, HIV and pregnancy; referrals to other agencies that provide
7 support services to homeless youth, youth at risk of homelessness and runaways;
8 assistance with education, employment and independent living skills; aftercare services;
9 and specialized services for highly vulnerable runaways and homeless youth, including
10 teen parents, sexually exploited youth and youth with mental illness or developmental
11 disabilities;

12 **2. Emergency shelter program.** Emergency shelter programs to provide homeless
13 youth and runaways with referrals and walk-in access to short-term residential care on an
14 emergency basis. The program must provide homeless youth and runaways with safe,
15 dignified, voluntary housing, including private shower facilities, beds and at least one
16 meal each day, and assist a runaway with reunification with family or a legal guardian
17 when required or appropriate. The services provided at emergency shelters may include,
18 but are not limited to, family reunification services or referral to safe, dignified housing;
19 individual, family and group counseling; assistance obtaining clothing; access to medical
20 and dental care and mental health counseling; education and employment services;
21 recreational activities; case management, advocacy and referral services; independent
22 living skills training; and aftercare, follow-up services and transportation; and

23 **3. Transitional living programs.** Transitional living programs to help homeless
24 youth find and maintain safe, dignified housing. The program may also provide rental
25 assistance and related supportive services or may refer youth to other organizations or
26 agencies that provide such services. Services provided may include, but are not limited to,
27 provision of safe, dignified housing; educational assessment and referrals to educational
28 programs; career planning, employment, job skills training and independent living skills
29 training; job placement; budgeting and money management; assistance in securing
30 housing appropriate to needs and income; counseling regarding violence, prostitution,
31 substance abuse, sexually transmitted diseases and pregnancy; referral for medical
32 services or chemical dependency treatment; parenting skills; self-sufficiency support
33 services or life skills training; and aftercare and follow-up services.

34 **§4099-F. Data collection**

35 The department shall collect data from its licensed organizations and agencies to
36 ensure that appropriate and high-quality services are being delivered to homeless youth,
37 youth at risk of homelessness and runaways and shall use the data to monitor the success
38 of the contracts and programs as well as changes in the rates of homelessness among
39 youth in the State.

40 **§4099-G. Rules**

41 The department shall adopt rules as may be necessary for the effective administration
42 of the comprehensive program under section 4099-E. Rules adopted pursuant to this
43 section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

SUMMARY

1
2 This bill repeals the youth in need of services program in the Maine Revised Statutes,
3 Title 22, chapter 1071, subchapter 15 and establishes a comprehensive program for
4 homeless youth and runaways. The bill requires the Department of Health and Human
5 Services to implement the comprehensive program through performance-based contracts
6 with organizations and agencies licensed by the department that provide street and
7 community outreach, drop-in programs, emergency shelter and transitional living
8 services. The bill specifies the type of services the program should provide and requires
9 the department to collect data from its licensed organizations and agencies for quality
10 assurance purposes and to monitor the success of the program as well as changes in the
11 rates of homelessness among Maine's youth. The department is authorized to adopt
12 routine technical rules as may be necessary for the effective administration of the
13 program.