

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 1449

S.P. 531

In Senate, April 24, 2013

**An Act To Amend the Composition and Duties of the Maine
Children's Growth Council**

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by President ALFOND of Cumberland.
Cosponsored by Representative FARNSWORTH of Portland and
Senators: CRAVEN of Androscoggin, HILL of York, LACHOWICZ of Kennebec,
Representatives: BERRY of Bowdoinham, LIBBY of Lewiston, STUCKEY of Portland.

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

2 **Sec. 1. 5 MRSA §24001**, as amended by PL 2011, c. 388, §§1 and 2, is further
3 amended to read:

4 **§24001. Maine Children's Growth Council**

5 **1. Definitions.** As used in this chapter, unless the context otherwise indicates, the
6 following terms have the following meanings.

7 A. "Council" means the Maine Children's Growth Council established in subsection
8 2.

9 B. "Young children" means children from birth through 5 years of age.

10 **2. Establishment; role.** The Maine Children's Growth Council, as established in
11 section 12004-J, subsection 16, is created to develop, implement, maintain and evaluate a
12 comprehensive plan for sustainable social and financial investment in and infrastructure
13 to support healthy development of the State's young children and their families.

14 **3. Membership.** The council consists of the members listed in this subsection ~~who~~
15 ~~must have a strong interest in early childhood and early care and education and must be~~
16 ~~influential in their communities~~ . In making the appointments under this subsection, the
17 appointing authority shall select persons who represent a diversity of interests, including,
18 but not limited to, early learning coalitions; community public health and safety
19 networks; organizations that work to prevent and address child abuse and neglect; Indian
20 tribes; representatives of public agencies involved with interventions in or prevention of
21 adverse childhood experiences; philanthropic organizations; and organizations focused on
22 community mobilization. The appointing authority also shall ensure that each person
23 selected has a strong interest in comprehensive early childhood health, early care and
24 education through the prevention and early treatment of adverse childhood experiences
25 and is influential in that person's community and that each state agency representative is
26 vested with decision-making capacity over the development of public policy and the
27 ability to designate funding within that representative's state agency:

28 A. Two members of the Senate, one from each of the 2 political parties having the
29 greatest number of members in the Senate, appointed by the President of the Senate;

30 B. Two members of the House of Representatives, one from each of the 2 political
31 parties having the greatest number of members in the House, appointed by the
32 Speaker of the House;

33 C. The Governor or the Governor's designee and the Attorney General or the
34 Attorney General's designee;

35 D. Three parents, at least one of whom has a young child, one each appointed by the
36 Governor, the President of the Senate and the Speaker of the House;

37 E. Two persons with experience in public funding and philanthropy, appointed by
38 the President of the Senate;

- 1 F. One person representing child abuse and neglect prevention, appointed by the
2 Speaker of the House;
- 3 G. One person representing postsecondary education, appointed by the Governor;
- 4 H. Eight persons representing statewide, membership or constituent organizations
5 that advance the well-being of young children and their families, nominated by their
6 organizations and appointed by the Governor, of whom:
- 7 (1) Three must represent statewide organizations or associations involved in
8 early care and education programs, child care centers, Head Start programs,
9 family child care providers, ~~resource development centers~~, programs for school-
10 age children, child development services, physicians and child advocacy;
- 11 (2) One must represent a law enforcement organization involved with children;
- 12 (3) One must represent an organization that works on community organization
13 and mobilization;
- 14 (4) One must represent public health;
- 15 (5) One must represent the Maine Economic Growth Council; and
- 16 (6) One must represent a labor organization;
- 17 I. ~~One person~~ Two persons representing ~~a~~ statewide ~~association~~ associations of
18 business and industry ~~and one person representing a business roundtable on early~~
19 ~~childhood investment~~, appointed by the Governor;
- 20 J. Up to 8 members of the public, appointed by the Governor;
- 21 ~~K. Three ex officio nonvoting members: the Commissioner of Education or the~~
22 ~~commissioner's designee, a Department of Health and Human Services employee~~
23 ~~who works with early childhood programs including Head Start and a person~~
24 ~~representing the office within the Department of Health and Human Services that is~~
25 ~~the fiscal agent for the federal grant program for comprehensive early childhood~~
26 ~~initiatives; and~~
- 27 K-1. Twelve members as follows:
- 28 (1) The Commissioner of Corrections, or the commissioner's designee;
- 29 (2) The Commissioner of Economic and Community Development, or the
30 commissioner's designee;
- 31 (3) The Commissioner of Education, or the commissioner's designee;
- 32 (4) The Superintendent of Insurance, or the superintendent's designee;
- 33 (5) The Commissioner of Labor, or the commissioner's designee;
- 34 (6) The Commissioner of Public Safety, or the commissioner's designee;
- 35 (7) Five members from the Department of Education or the Department of
36 Health and Human Services, selected jointly by the Commissioner of Education
37 and the Commissioner of Health and Human Services, who work with early
38 childhood programs including child welfare, behavioral health, MaineCare,
39 substance abuse prevention and treatment, early care and childhood programs

1 including child care licensing, prekindergarten, kindergarten or child
2 development services; and

3 (8) One member of the Department of Health and Human Services who is the
4 fiscal agent for the federal grant program for comprehensive early childhood
5 initiatives; and

6 L. The director of the Head Start collaboration project within the Department of
7 Health and Human Services, Office of Child Care and Head Start.

8 **4. Terms of appointment.** Except for ~~ex-officio~~ members serving pursuant to
9 subsection 3, paragraph K-1, subparagraphs (1) to (6), members of the council are
10 appointed for terms of 3 years. Members who are Legislators are appointed for the
11 duration of the legislative terms in which they were appointed. Members who are not
12 Legislators may serve beyond their designated terms until their successors are appointed.

13 **5. Cochairs.** The Governor shall ~~appoint~~ consider the recommendations of the
14 council when appointing cochairs for the council.

15 **6. Quorum; meetings.** A majority of the voting members of the council constitute
16 a quorum. The council may meet as often as necessary but shall meet at least 6 times a
17 year. A meeting may be called by a cochair or by any 5 members.

18 **7. Compensation.** Members of the council serve without compensation for their
19 services, except that parents appointed under subsection 3, paragraph D and the members
20 appointed pursuant to subsection 3, paragraphs H and J who are not reimbursed by
21 another organization may receive mileage reimbursement and a per diem to cover related
22 costs such as child care, and Legislators are entitled to receive the legislative per diem, as
23 defined in Title 3, section 2, and reimbursement for travel and other necessary expenses
24 for attendance at authorized meetings of the council.

25 **8. Staffing; funding.** The council may hire staff as necessary for its work and as
26 resources permit. ~~The council may~~ Such staff may enter into contracts on behalf of the
27 council to carry out the purposes of this chapter, provide funding to communities or any
28 governance entity that is created as a result of a partnership pursuant to this chapter and
29 accept grant funding and other funding as may be available for the work of the council
30 and any committees of the council.

31 **9. Logo.** The council may develop, adopt and publicize a logo or slogan to identify
32 its work.

33 **Sec. 2. 5 MRSA §24002**, as amended by PL 2011, c. 388, §3, is repealed.

34 **Sec. 3. 5 MRSA §24002-A** is enacted to read:

35 **§24002-A. Duties; long-term plan**

36 **1. Duties.** The duties of the council include, but are not limited to:

37 A. Reviewing and addressing recommendations of legislative studies and advisory
38 committees established by statute regarding young children and their families for the

1 purpose of ensuring coordination and enhancement of local, state and federal service
2 systems and stakeholder groups;

3 B. Leading the development of a birth-to-grade-3 continuum to ensure local, state
4 and federal service systems alignment;

5 C. Connecting statutorily established bodies that have the expressed purpose of
6 providing guidance regarding early childhood health, development, care and
7 education issues to coordinate and align strategies and communication;

8 D. Leading the development of a high-quality, comprehensive and coordinated
9 system of early childhood development and care for children from birth to school-
10 entry age so that all young children begin school socially, emotionally and physically
11 healthy and prepared to be successful; and

12 E. Developing, ensuring the implementation of and updating a long-term plan for
13 investment in the healthy development of young children that will achieve sustainable
14 social and financial investment in the healthy development of young children and
15 their families.

16 **2. Long-term plan.** The council shall develop the long-term plan required by
17 subsection 1, paragraph E in accordance with this subsection.

18 A. To ensure the successful accomplishment of the development, implementation
19 and updating of the long-term plan, the council shall:

20 (1) Consult and coordinate with:

21 (a) Members of the public;

22 (b) The Department of Education, the Department of Health and Human
23 Services, the Department of Corrections, the Department of Economic and
24 Community Development, the Department of Labor, the Department of
25 Public Safety and the Department of Professional and Financial Regulation,
26 Bureau of Insurance;

27 (c) Municipal and county governments; and

28 (d) Advocates, community agencies and providers of early care and
29 education and services to children and their families;

30 (2) Monitor and evaluate progress in accomplishing the long-term plan's vision,
31 goals and performance indicators and best practice research; and

32 (3) Consider the changing economic and demographic conditions and the effect
33 of investments on economic growth and productivity.

34 B. The long-term plan must involve responsible entities and include strategies and
35 timelines that:

36 (1) Provide for the coordination of resources and services across State
37 Government and the elimination of duplicate programs and services;

38 (2) Provide uniform standards for quality, programs and measures of
39 effectiveness based on outcomes;

- 1 (3) Reflect the diversity and uniqueness of young children and their families;
- 2 (4) Reflect a commitment to sustainable growth of young children;
- 3 (5) Improve access to an efficient system of services and programs;
- 4 (6) Include family representation and preserve parental choice in providers;
- 5 (7) Reflect the importance of child care in sustaining employment for parents;
- 6 (8) Encourage cooperation among government, business and the public in
7 achieving the goals of the long-term plan;
- 8 (9) Develop a consistent and coherent policy that is applied to all services,
9 programs and agencies, including the development of a common language and a
10 common vision;
- 11 (10) Require communication and collaboration among all parties involved in the
12 long-term plan;
- 13 (11) Require data sharing and outcome measurement;
- 14 (12) Create a comprehensive system for workforce development to include
15 professional and resource development and procedures to meet compliance and
16 relevant licensing requirements;
- 17 (13) Maximize federal funding;
- 18 (14) Provide recommendations for the streamlining and merging of advisory and
19 oversight bodies;
- 20 (15) Make use of community services across the State; and
- 21 (16) Invest in technology and infrastructure.

22 C. The council shall develop the long-term plan as a detailed plan designed to
23 develop, implement and sustain a unified, statewide early childhood services system
24 that:

- 25 (1) Provides essential prevention, intervention and family support resources for
26 children from birth to 5 years of age and their families; shares common standards
27 for quality; respects the diversity and uniqueness of young children and their
28 families; reflects a commitment to sustainable growth; includes family
29 representation; recognizes the importance of child care in sustaining employment
30 for parents; and recognizes the value of new forms of cooperation among
31 government, business and society in achieving the goals of the long-term plan;
- 32 (2) Ensures that individualized, family-centered, culturally sensitive and high-
33 quality services are available to expectant families and to those with children
34 under 5 years of age; and
- 35 (3) Contains a comprehensive, research-based plan that identifies effective
36 strategies and methodologies that match capacity with need based on public
37 health and education data, workforce development needs across the spectrum of
38 early childhood and family-centered services and supports.

1 D. The council shall complete the long-term plan no later than 12 months following
2 the effective date of this section.

3 E. By January 15, 2014 and every 2 years thereafter, the council shall report to the
4 Governor and to the joint standing committees of the Legislature having jurisdiction
5 over health and human services, corrections, economic development, insurance,
6 labor, public safety, taxation and education matters on the activities and
7 accomplishments of the council and its long-term plan for investment in the healthy
8 development of young children and may issue such other reports as the council
9 determines to be appropriate.

10 **Sec. 4. Staggered terms of members of Maine Children's Growth**
11 **Council.** Notwithstanding the Maine Revised Statutes, Title 5, section 24001,
12 subsection 4, the Governor, President of the Senate and Speaker of the House, when
13 making appointments to the Maine Children's Growth Council during calendar years
14 2014, 2015 and 2016, shall make their respective appointments to one-year, 2-year and 3-
15 year terms proportionately to ensure that the terms of members of the council are
16 staggered.

17 **SUMMARY**

18 This bill amends the composition and duties of the Maine Children's Growth Council
19 by:

20 1. Requiring the Governor, President of the Senate and Speaker of the House of
21 Representatives, when making appointments to the council, to ensure that appointees
22 represent a diversity of interests including early learning coalitions, public health and
23 safety networks, organizations that prevent and address child abuse and neglect and
24 philanthropic organizations;

25 2. Increasing the number of members who represent statewide associations of
26 business and industry to 2;

27 3. Adding the commissioner, or the commissioner's designee, of the Department of
28 Corrections, the Department of Economic and Community Development, the Department
29 of Labor and the Department of Public Safety and the Superintendent of Insurance, or the
30 superintendent's designee, as members;

31 4. Adding 3 more employees from the Department of Health and Human Services or
32 the Department of Education;

33 5. Staggering the terms of appointed members;

34 6. Requiring the Governor, when appointing the chairs of the council, to consider the
35 recommendations of the council;

36 7. Specifying that certain public members not otherwise compensated are entitled to
37 receive mileage and a per diem;

1 8. Specifying that staff members of the council are authorized to undertake certain
2 actions, such as entering into contracts and providing funding;

3 9. Repealing the current law that requires the council to develop a long-term plan for
4 investment in the healthy development of young children and replacing it with the
5 requirement to develop a long-term plan in accordance with specific requirements,
6 including:

7 A. Requirements for the council to consult with specified state agencies and local
8 governments when developing the long-term plan; and

9 B. Strategies and timelines that provide for the coordination of resources and
10 services across State Government and the elimination of duplicate programs and
11 services to reflect the diversity of and uniqueness of young children and their families
12 and to maximize federal funding; and

13 10. Requiring the long-term plan to be developed within 12 months of the effective
14 date of this bill.