

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

SECOND SPECIAL SESSION
June 19, 2018 to September 13, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 13, 2018

ONE HUNDRED AND TWENTY-NINTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2018 to June 20, 2019

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 2019

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2019

regarding progress made toward this goal. The report must include any recommendations the department may have to revise the goal, along with any necessary legislation.

Sec. 2. 22 MRSA §1317-D, sub-§4, as enacted by PL 2001, c. 683, §3 and affected by §10, is amended to read:

4. Testing of children not covered by MaineCare program. The program must require the testing of blood lead levels of all children not covered by the MaineCare program at one year of age and 2 years of age ~~unless, in the professional judgment of the provider of primary health care, in conjunction with the use of the lead poisoning risk assessment tool, the child's level of risk does not warrant a blood lead level test.~~ The drawing of blood for the testing may be done in the health care provider's office or may be referred to another laboratory.

Sec. 3. 22 MRSA §1322-F, sub-§4, as amended by PL 2007, c. 628, Pt. A, §6, is further amended to read:

4. Contingent repeal. This section is repealed when the Commissioner of Health and Human Services certifies that a period of 24 months has elapsed since the Department of Health and Human Services identified a child with an elevated blood lead level through screening by health care providers under section 1317-C. The Commissioner of Health and Human Services shall provide notice to the Secretary of the Senate, the Clerk of the House of Representatives and the Office of the Revisor of Statutes when this condition has been met. For purposes of this subsection, "elevated blood lead level" means a confirmed level of blood lead ~~of 10 that is equal to or exceeds 5 micrograms per deciliter or a level of blood lead defined by the federal Department of Health and Human Services, Centers for Disease Control and Prevention, whichever is lower.~~

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective June 27, 2019.

**CHAPTER 480
S.P. 214 - L.D. 701**

**An Act To Modernize the
National School Lunch
Program and the School
Breakfast Program**

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

Sec. 1. 20-A MRSA §6601-A, as enacted by PL 2017, c. 238, §1, is amended to read:

**§6601-A. Free or reduced-price school meals;
Internet-based school meal applications**

The department shall ~~make information available to public schools regarding contract for the development and implementation of an~~ Internet-based ~~application for eligible students~~ application for free or reduced-price meals under the National School Lunch Program under 7 Code of Federal Regulations, Part 210 and the School Breakfast Program under 7 Code of Federal Regulations, Part 220. The department shall make available to public schools the Internet-based application for free or reduced-price meals developed under this section. A public school may make ~~an~~ the Internet-based application available for school meal applications. If a public school implements ~~an~~ the Internet-based application process under this section, the public school shall ~~make available a~~ continue to distribute paper application applications for school meals to ~~any student, parent or legal guardian who requests one all students.~~ A public school implementing the Internet-based application is solely responsible for processing that school's online applications.

Sec. 2. Internet-based application development. The Department of Education shall make the Internet-based application for free or reduced-price school meals under the Maine Revised Statutes, Title 20-A, section 6601-A available by October 1, 2019. The department may contract with a 3rd-party vendor to develop and implement the Internet-based application.

Sec. 3. Transfer of funds. Notwithstanding any provision of law to the contrary, the State Controller shall transfer to the unappropriated surplus of the General Fund \$650,000 no later than June 30, 2020 and \$150,000 no later than June 30, 2021 from the Medical Use of Marijuana Fund, established in the Maine Revised Statutes, Title 22, section 2430.

Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.

**EDUCATION, DEPARTMENT OF
Alternative Breakfast Delivery Service Program
N318**

Initiative: Provides one-time funding in fiscal year 2019-20 only to school administrative units that start or expand alternative breakfast delivery services that provide breakfast after the start of the school day. A school administrative unit with a public school in which at least 50% of students qualified for a free or reduced-price lunch during the preceding school year qualifies for funding. The department is required to develop guidelines to allocate and disburse the funding to participating schools. Guidelines must be devel-

oped within 90 days following the effective date of this Act. Funding appropriated to this program does not lapse but must be carried forward into the next fiscal year to be used only for the purpose for which it was provided.

GENERAL FUND	2019-20	2020-21
All Other	\$500,000	\$0
GENERAL FUND TOTAL	\$500,000	\$0

School Finance and Operations Z078

Initiative: Provides ongoing funds for the cost to contract for the services of a vendor to deliver and maintain an Internet-based application for free or reduced-price meals under the National School Lunch Program and the School Breakfast Program to school administrative units that choose to participate.

GENERAL FUND	2019-20	2020-21
All Other	\$150,000	\$150,000
GENERAL FUND TOTAL	\$150,000	\$150,000

EDUCATION, DEPARTMENT OF DEPARTMENT TOTALS	2019-20	2020-21
GENERAL FUND	\$650,000	\$150,000
DEPARTMENT TOTAL - ALL FUNDS	\$650,000	\$150,000

See title page for effective date.

**CHAPTER 481
S.P. 287 - L.D. 997**

An Act To Promote Social and Emotional Learning and Development for Young Children

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

Sec. 1. 34-B MRSA c. 15, sub-c. 2 is enacted to read:

**SUBCHAPTER 2
EARLY CHILDHOOD CONSULTATION PROGRAM**

§15011. Statewide voluntary early childhood consultation program

Beginning September 1, 2020, the commissioner shall implement a statewide voluntary early childhood consultation program to provide support, guidance and training to improve the abilities and skills of early care and education teachers and providers working in public elementary schools, child care facilities as defined in Title 22, section 8301-A, subsection 1-A, paragraph B, family child care settings and Head Start programs serving infants and children who are 8 years of age or younger who are experiencing challenging behaviors that put the infants or children at risk of learning difficulties and removal from early learning and education settings, and to improve the abilities and skills of families and foster parents with infants or children who are 8 years of age or younger in the home who are experiencing challenging behaviors that put the infants or children at risk of learning difficulties and removal from early learning and education settings. Any record about a child created as a result of a consultation under this section must be made available to the parents or guardians of that child and may not become part of that child's education record. Fifty percent of the costs related to the program implemented under this section must be paid from funds provided to the department under the federal child and development block grant authorized under the federal Child Care and Development Block Grant Act of 1990.

Sec. 2. Maine Revised Statutes headnote enacted; revision clause. In the Maine Revised Statutes, Title 34-B, chapter 15, after the chapter headnote, the headnote "subchapter 1, children's mental health program" is enacted and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

Sec. 3. Early childhood consultation program. By September 1, 2020, the Department of Health and Human Services shall develop, establish and implement an early childhood consultation program under the Maine Revised Statutes, Title 34-B, chapter 15, subchapter 2, referred to in this section as "the program," to enable trained consultants with expertise in the areas of early childhood development and mental health to work on-site with early care and education teachers and providers working with children to aid them in the use of low-cost or no-cost evidence-based strategies that reduce challenging behaviors in children and promote social-emotional growth; to provide guidance to parents about effective ways to address their children's behavioral difficulties; and to connect children and families to programs, resources and supports that will assist them in their development and success, while addressing barriers to