

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

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

accessing these resources and supports. The department shall design the program in consultation with the national Center of Excellence for Infant and Early Childhood Mental Health Consultation, a project funded by the United States Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, the Children's Cabinet established in Title 5, chapter 439 and key stakeholders in the State, including mental health professionals delivering mental health consultation within the State. In developing the program, the department shall:

1. Develop standards and guidelines to ensure that the program is implemented with primary consideration given to the core elements of evidence-based services as adapted for the State's unique rural character. The guidelines must include effective strengths-based strategies and plans that support children's success across learning environments. The standards must include knowledge of research-informed infant and early childhood mental health practices, family circumstances that affect children's behavior and mental health, developmental science and milestones, mental health, trauma-informed approaches, adverse childhood experiences, sensory processing issues, poverty, disability and community supports, resources and services available to a child and the child's family to alleviate family stress;

2. Explore enhancing cross-sector professional development capacity in the State through partnerships with entities such as the national Center of Excellence for Infant and Early Childhood Mental Health Consultation;

3. Develop and implement a plan for consultants to provide individualized on-site coaching as requested by teachers, caregivers and families. The plan may include professional development in the form of group training and communities of practice that include professionals, such as home visitors or child welfare staff, who work with young children and families. The plan must reinforce and extend the supports provided by early childhood mental health consultants to people providing professional development in early childhood and public school settings;

4. Develop a system for collecting and analyzing implementation data and selected outcomes to identify areas for improvement, promote accountability and provide continuous quality improvement and service delivery to improve child outcomes by providing feedback, including feedback from department staff and community consultation staff. Data collected must include specific data related to age, gender, race and disability;

5. Develop and implement a plan for establishing, training and certifying a roster of community-based qualified mental health consultants with the specialized knowledge, skills and experience to effectively coach families, teachers, providers and program direc-

tors to promote a child's social and emotional health and reduce challenging behaviors. Early childhood consultants must be mental health professionals licensed under the Maine Revised Statutes, Title 32, section 3831, subsection 2; section 7053, subsection 1, paragraph A; or section 13858, subsection 2 or 3. The training must include training related to the following: trauma; adverse childhood experiences; resilience; trauma-informed practices; child development from birth to 8 years of age including appropriate developmental and behavioral expectations; effects of substance use; sensory processing issues; needs of children with disabilities, including special education law; the State's child protection and foster care system; other disciplines such as occupational therapy, speech therapy, physical therapy and mental health therapy; and public and private supports and services, including the Women, Infants and Children Special Supplemental Food Program of the federal Child Nutrition Act of 1966; the Child Development Services System under Title 20-A, section 7209; the divisions within the Department of Health and Human Services concerned with children's behavioral health services; case management; and entitlement programs. Consultants must also receive training that is regionally appropriate to understand the programs, resources and supports in their region or community in order to link children, families and professionals to them. The training must also include training in cultural competence to ensure consultants understand the needs of the ethnically diverse communities they may be serving and how to form relationships to provide the unique services needed to support those populations;

6. Develop and implement a plan for supervision of early childhood consultation and outreach staff that includes administrative, clinical and reflective supervision; and

7. Develop and implement a plan in conjunction with staff from the Child Development Services System under the Maine Revised Statutes, Title 20-A, section 7209 for how early childhood consultants can support children, families and staff who intersect with the Child Development Services System, particularly as the plan relates to children who are referred for behavior issues.

Sec. 4. Early implementation. The Department of Health and Human Services shall provide support, guidance and training under the Maine Revised Statutes, Title 34-B, chapter 15, subchapter 2 in 5 locations prior to implementation of the statewide voluntary early childhood consultation program in Title 34-B, chapter 15, subchapter 2.

Sec. 5. Report. The Department of Health and Human Services shall submit a report by January 1, 2021 to the joint standing committee of the Legislature having jurisdiction over health and human services matters regarding the status of the statewide voluntary

early childhood consultation program in the Maine Revised Statutes, Title 34-B, chapter 15, subchapter 2 and the program's ability to provide support and guidance to families, early care and education teachers and providers working with children. The joint standing committee may submit legislation related to the report to the First Regular Session of the 130th Legislature.

Sec. 6. Appropriations and allocations. The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

Early Childhood Consultation Program N323

Initiative: Allocates funds necessary to design and implement a statewide voluntary early childhood consultation program beginning September 1, 2020.

FEDERAL BLOCK GRANT FUND	2019-20	2020-21
All Other	\$424,040	\$440,341
FEDERAL BLOCK GRANT FUND TOTAL	\$424,040	\$440,341

Early Childhood Consultation Program N323

Initiative: Provides ongoing funds for one Regional Education Representative position and one Office Associate II position and related All Other funding necessary to design and implement a statewide voluntary early childhood consultation program beginning September 1, 2020.

GENERAL FUND	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNCIL	2.000	2.000
Personal Services	\$109,446	\$182,876
All Other	\$314,594	\$257,465
GENERAL FUND TOTAL	\$424,040	\$440,341

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

DEPARTMENT TOTALS	2019-20	2020-21
GENERAL FUND	\$424,040	\$440,341
FEDERAL BLOCK GRANT FUND	\$424,040	\$440,341

DEPARTMENT TOTAL - ALL FUNDS	\$848,080	\$880,682
------------------------------	-----------	-----------

See title page for effective date.

CHAPTER 482

H.P. 1082 - L.D. 1480

An Act To Modify Retirement Plans for Fire Investigators and Sergeants

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

Sec. 1. 5 MRSA §17851-A, sub-§1, ¶K, as amended by PL 2001, c. 409, §1, is further amended to read:

K. The State Fire Marshal or a ~~state fire marshal investigator~~ or state fire marshal inspector in the employment of the Department of Public Safety on January 1, 2000 or hired thereafter ~~or, until June 30, 2020, a state fire marshal investigator in the employment of the Department of Public Safety on January 1, 2000 or hired thereafter;~~ and

Sec. 2. 5 MRSA §17851-B is enacted to read:

§17851-B. Special plan for fire marshal investigators and fire marshal sergeants

1. Establishment and applicability. Effective July 1, 2020, there is established a special retirement plan for fire marshal investigators and fire marshal sergeants, referred to in this section as "the special plan." The special plan applies to a state fire marshal investigator, state fire marshal senior investigator and state fire marshal sergeant.

2. Qualification for benefits. A member employed in any of the positions specified in subsection 1 qualifies for a service retirement benefit after completing 20 years of creditable service in that capacity, whether or not the creditable service included in determining that the 20-year requirement has been met was earned under the special plan established in this section or prior to its establishment.

3. Purchase of service credit to be used for qualification for benefits. This subsection governs the use of purchased service credit in order to qualify for benefits under this section. For the purpose of meeting the qualification requirement of subsection 2:

A. Service credit purchased by repayment of an earlier refund of accumulated contributions following termination of service is included if the time to which the refund relates was served in any one or a combination of the positions specified in subsection 1, regardless of whether the time was