

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

completed and a report submitted in time for submission to the next legislative session; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Task force established. Resolved: That the Chancellor of the University of Maine System shall convene a task force, to be known as the Task Force To Recommend a Sustainable Funding Model for Maintaining Maine's Public Higher Education Infrastructure, referred to in this resolve as "the task force."

Sec. 2. Task force membership. Resolved: That the task force consists of 7 members as follows:

1. The Chancellor of the University of Maine System or the chancellor's designee, who shall serve as the task force chair;
2. The President of the Maine Community College System or the president's designee;
3. The President of the Maine Maritime Academy or the president's designee;
4. The Director of the Bureau of General Services within the Department of Administrative and Financial Services or the director's designee;
5. The director of school facilities within the Department of Education;
6. The Chief Executive Officer of the Finance Authority of Maine or the chief executive officer's designee; and
7. A member appointed by the Chancellor of the University of Maine System with relevant experience or expertise in finance or facilities management and planning.

Sec. 3. Duties. Resolved: That the task force shall study how to provide adequate supplemental funding to sustain the State's public higher education infrastructure without burdening students who are residents of the State with unreasonable tuition and fee increases. The task force shall consider, but may not be limited to considering, infrastructure improvements, health and safety repairs, technology improvements, energy efficiency and equipment upgrades and, when necessary, new construction.

Sec. 4. Staff assistance. Resolved: That the University of Maine System, the Maine Community College System and the Maine Maritime Academy shall provide necessary staffing services to the task force, as well as all requested and available data.

Sec. 5. Report. Resolved: That, no later than January 2, 2020, the task force shall submit a report

that includes its findings and recommendations, including suggested legislation, for presentation to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Education and Cultural Affairs. The joint standing committees may submit legislation to the Second Regular Session of the 129th Legislature related to the subject matter of the report.

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

Effective June 12, 2019.

CHAPTER 66

S.P. 524 - L.D. 1635

Resolve, To Improve Access to Early and Periodic Screening, Diagnostic and Treatment Services for Children from Birth to 8 Years of Age

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, research on early childhood emphasizes the importance of identifying child development challenges as early as possible and addressing the needs of young children from birth to 8 years of age to ensure their successful participation in early and life-long learning; and

Whereas, data indicates that Maine ranks 50th in the nation for the rate of infants provided with early intervention services for developmental delays; and

Whereas, recent brain research has shown that it is essential to address child health and well-being issues as early as possible and to provide children with services they need to thrive in school; and

Whereas, the MaineCare program is underused for early and periodic screening, diagnostic and treatment services provided to eligible children; and

Whereas, there is a lack of information about the capacity of state or federally funded programs and services to serve the needs of Maine children from birth to 8 years of age that needs to be remedied as soon as possible; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Department of Health and Human Services to convene a stakeholder group. Resolved: That the Department of Health and Human Services, in consultation with the Department of Education, shall convene a stakeholder group to determine the capacity of the State to respond to its child find responsibilities as required under the federal Individuals with Disabilities Education Act and to provide early and periodic screening, diagnostic and treatment services, referred to in this resolve as "screening, diagnostic and treatment services," to children from birth to 8 years of age, the gaps in services and the costs of addressing those gaps. The Department of Health and Human Services shall coordinate the collection and analysis of data from across the department and from organizations that conduct developmental screenings or offer services or treatment to children from birth to 8 years of age, including through Head Start programs, Early Head Start programs, the Child Development Services System as defined in section 7001, public health nursing organizations, the Department of Health and Human Services' home visiting service and the Department of Education. The Department of Health and Human Services shall submit a report with the findings to the Joint Standing Committee on Health and Human Services. The report must include the following:

1. Data on the number, ages and geographic locations of children from birth to 8 years of age receiving screening, diagnostic and treatment services;
2. The capacity of the State to ensure that all children from birth to 8 years of age who require screening, diagnostic and treatment services are located and receive services;
3. Current levels of federal and state funding designated or available to support child find services, screening, diagnostic and treatment services and early intervention and special education services for children from birth to 8 years of age;
4. Barriers that impede access to child find and screening, diagnostic and treatment services;
5. Data on the disposition of referrals of children from birth to 8 years of age at high risk of developmental delay or disability who are screened and eligible for either child development services or screening, diagnostic and treatment services, including how many receive needed services and how many do not receive those services by county;
6. Shortages of providers of child find and screening, diagnostic and treatment services including a breakdown by county of those shortages and a breakdown by specific service;
7. An assessment of the State's efforts to provide comprehensive developmental screening for children from birth to 8 years of age with reference to the rec-

ommendations of the American Academy of Pediatrics;

8. An assessment of the deficits in the State's efforts to provide comprehensive developmental screening;
9. An estimate of the costs to address the shortages in child find and screening, diagnostic and treatment services and any recommendations to ensure or expand services so that all children from birth to 8 years of age are adequately served regardless of health insurance status, age, geographic location or type of developmental delay or disability identified;
10. A review of existing reports from the past 10 years from organizations that screen for developmental delay or provide services or treatment to children from birth to 8 years of age to review existing data, strengths and challenges of programs providing early intervention services;
11. Additional data needed to assess the State's child find and screening, diagnostic and treatment services; and
12. Information on other states that have had success in providing child find and screening, diagnostic and treatment services to children from birth to 8 years of age and their families.

The Department of Health and Human Services shall submit the report no later than December 30, 2019. The Joint Standing Committee on Health and Human Services may report out legislation relating to the subject matter of the report to the Second Regular Session of the 129th Legislature.

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

Effective June 13, 2019.

CHAPTER 67
H.P. 908 - L.D. 1247

Resolve, To Clarify the Good Cause and Sanction Process in the Temporary Assistance for Needy Families and Additional Support for People in Retraining and Employment Programs

Sec. 1. Department of Health and Human Services to amend the TANF and ASPIRE-TANF program rules regarding good cause and sanctions. Resolved: That the Department of Health and Human Services shall amend its rules for the Temporary Assistance for Needy Fam-