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STATE OF MAINE

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TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
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and conservation programs under section 10110, the costs of providing nonwires alternatives in accordance with section 3132-D.

Sec. 3. 35-A MRSA §10104, sub-§4, ¶H is enacted to read:

H. After the triennial plan is approved, the trust or any party to the triennial plan may petition for, or the commission may initiate on its own, consideration of revising the calculations of avoided energy costs used in the determination of maximum achievable cost-effective energy efficiency resources pursuant to section 10110, subsection 4-A or section 10111, subsection 2 upon a showing that, subsequent to the publication of the avoided energy cost study relied upon, changes in price forecasts would result in more than a 25% change in the value of avoided energy cost affecting a significant portion of the program activity in the triennial plan.

Sec. 4. 35-A MRSA §10110, sub-§1, ¶C, as amended by PL 2019, c. 306, §4 and c. 365, §2, is repealed and the following enacted in its place:

C. "Conservation programs" means programs developed by the trust pursuant to this section designed to reduce inefficient electricity use or to increase the efficiency with which electricity is used.

Sec. 5. 35-A MRSA §10110, sub-§4-A, ¶A, as amended by PL 2019, c. 306, §5 and c. 313, §8, is repealed and the following enacted in its place:

A. Consider electric energy efficiency resources that are reasonably foreseeable to be acquired by the trust using the Regional Greenhouse Gas Initiative Trust Fund under section 10109, federal or state grants or settlement funds designated by the board for programs implemented under this section, except that forward capacity market payments deposited in the Heating Fuels Efficiency and Weatherization Fund established in section 10119 may not be considered;

Sec. 6. 35-A MRSA §10113, as enacted by PL 2009, c. 372, Pt. B, §3, is amended to read:

§10113. Training for installers of ~~solar~~ energy equipment

1. Installation training. To the extent that funds and resources allow, the trust ~~shall~~ may establish training programs for installers of ~~solar~~ energy equipment that most effectively meet the needs of the public. The trust:

A. May develop separate programs for different ~~solar~~ energy technologies or ~~applications~~ services when the trust determines that the skills or training for the installation of those technologies or ~~applications~~ services merit the distinction;

A-1. May offer training programs to code enforcement officers, inspectors or other professionals involved in designing, marketing, regulating or educating about energy equipment;

A-2. May offer training programs to contractors or other professionals involved in designing, installing or constructing energy efficiency, weatherization or other building performance measures for homes and businesses;

B. Shall confer with ~~the Plumbers' Examining Board and the Electricians' Examining Board~~ relevant professional licensing boards and the Technical Building Codes and Standards Board under Title 10, section 9722 when it develops the course content and requirements;

C. Shall determine the content of the training, the hours required for course completion and the manner in which applicants must demonstrate proficiency in ~~solar~~ energy equipment installation;

D. ~~Shall~~ May issue a certificate of completion to individuals who meet the requirements the trust has established;

E. May establish reasonable course fees. All fees must be paid to the ~~Treasurer of State~~ trust to be used ~~by the trust~~ for the purposes of this section;

F. Shall determine terms for the expiration and renewal of an applicant's certificate of completion; and

G. Shall determine an appropriate means of maintaining recognition of the training received by persons holding certificates issued pursuant to former section 10002 or former Title 32, chapter 87.

2. Qualifications for installing ~~solar~~ energy equipment. A certificate of completion issued by the trust pursuant to subsection 1 does not exempt the holder from any applicable licensing requirements for activities involved in installing ~~solar~~ energy equipment, including but not limited to licensing requirements established in Title 32, chapter 17 or 49.

3. Effective date. This section takes effect July 1, 2010.

See title page for effective date.

CHAPTER 210

H.P. 570 - L.D. 765

An Act To Provide for Judicial Review in Compliance with the Federal Family First Prevention Services Act

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

Sec. 1. 22 MRSA §4002, sub-§6-B is enacted to read:

6-B. Qualified individual. "Qualified individual" has the same meaning as in 42 United States Code, Section 675a(c)(1)(D)(i) (2020).

Sec. 2. 22 MRSA §4002, sub-§6-C is enacted to read:

6-C. Qualified residential treatment program. "Qualified residential treatment program" means a program within a licensed children's residential care facility as defined in section 8101, subsection 4 that provides continuous 24-hour care and supportive services to children in a residential nonfamily home setting that:

A. Utilizes a trauma-informed treatment model that is designed to address the clinical and other needs of children with serious emotional and behavioral disorders or disturbances;

B. Implements a specific treatment recommended in a needs assessment completed by a qualified individual;

C. Employs registered or licensed nursing staff and other licensed clinical staff who are:

(1) On site according to the treatment model used pursuant to paragraph A and during business hours; and

(2) Available 7 days a week on a 24-hour basis;

D. Appropriately facilitates outreach to family members and integrates those family members into the treatment of children;

E. Provides discharge planning for children including 6 months of post-discharge aftercare support;

F. Is licensed by the department in accordance with the United States Social Security Act, Section 471(a)(10); and

G. Is accredited by an independent nonprofit organization approved by the department.

Sec. 3. 22 MRSA §4038, sub-§8 is enacted to read:

8. Placement in qualified residential treatment program; hearing within 60 days. The court shall conduct a hearing to review the status of a child placed in a qualified residential treatment program and determine the appropriateness of the placement within 60 days after the child enters the program.

A. At the hearing under this subsection, the court shall:

(1) Review a needs assessment of the child conducted by a qualified individual;

(2) Consider whether the needs of the child can be met through an alternative placement in a family foster home as defined in section 8101, subsection 3;

(3) Consider whether the placement of the child in a qualified residential treatment program provides effective and appropriate care for the child in the least restrictive environment; and

(4) Consider whether placement of the child in a qualified residential treatment program is consistent with the short-term and long-term goals for the child as specified in the permanency plan of the child protection case pursuant to section 4038-B.

B. The court shall state, in writing, the reasons for its decision to approve or disapprove under this subsection the continued placement of the child in the qualified residential treatment program.

C. In a hearing under this subsection, records of evaluations of the child and medical, behavioral and mental health records of the child are admissible upon showing that the records contain information relevant to the issues before the court, as long as the records are made available to counsel at least 10 days prior to the hearing.

Sec. 4. 22 MRSA §4038, sub-§9 is enacted to read:

9. Continued placement in qualified residential treatment program; judicial review. At each review conducted pursuant to this section regarding a child placed in a qualified residential treatment program, the court shall make judicial findings, by a preponderance of the evidence, regarding the child's continued placement. The court shall review the status of a child placed in a qualified residential treatment program at every judicial review and permanency hearing and determine the continued appropriateness of placement in the qualified residential treatment program.

A. The court shall:

(1) Determine whether an ongoing needs assessment of the child, as prepared by qualified individuals, supports continued placement of the child in the qualified residential treatment program;

(2) Determine whether the documentation about the child regarding the child's placement in the qualified residential treatment program supports the conclusion that it is effective and appropriate care for the child in the least restrictive environment; and

(3) Determine whether the documentation about the child supports the conclusion that continued placement in the qualified residential treatment program is consistent with the short-term and long-term goals for the child as

specified in the permanency plan of the child protection case pursuant to section 4038-B.

B. The court shall state, in writing, the reasons for its decision to approve or disapprove under this subsection the continued placement of the child in the qualified residential treatment program.

C. In a review under this subsection regarding the child's continued placement in a qualified residential treatment program, records of evaluations of the child and medical, behavioral and mental health records of the child are admissible upon showing that the records contain information relevant to the issues before the court, as long as the records are made available to counsel at least 10 days prior to the review.

Sec. 5. 22 MRSA §4038, sub-§10 is enacted to read:

10. Rules concerning judicial review of the placement of children in qualified residential treatment programs. Notwithstanding any provision of law to the contrary, the Supreme Judicial Court may adopt rules of pleading, practice and procedure with respect to proceedings required by subsections 8 and 9. After the effective date of the rules as adopted or amended, all laws in conflict with the rules are of no further effect.

See title page for effective date.

CHAPTER 211

H.P. 581 - L.D. 776

An Act To Amend the Length of Time and Circumstances for Which a Sheriff May Furlough Individuals Incarcerated in a County Jail

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

Sec. 1. 30-A MRSA §1556, sub-§1, as amended by PL 2017, c. 407, Pt. A, §118, is further amended to read:

1. Furlough authorized. The sheriff may establish rules for and permit a prisoner under the final sentence of a court a furlough from the county jail in which the prisoner is confined. Furlough may be granted for not more than ~~3~~ 7 days at one time in order to permit the prisoner to visit a dying relative, to obtain medical services, to participate in a program operated by a jail that conditions release on regular daily reporting to the jail of the prisoner's location and activities or for any other reason consistent with the rehabilitation of an inmate or prisoner that is consistent with the laws or rules of the sheriff's department. Furlough may be granted for a period longer than ~~3~~ 7 days if required to provide treatment for a physical or mental condition of the prisoner, including a substance use disorder, as determined by a qualified licensed professional.

See title page for effective date.

CHAPTER 212

H.P. 707 - L.D. 961

An Act To Provide Equity in Access to Applications for the National School Lunch Program and School Breakfast Program

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

Sec. 1. 20-A MRSA §6601-A, as amended by PL 2019, c. 480, §1, is further amended to read:

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

The department shall contract for the development and implementation of an Internet-based 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 on the department's publicly accessible website. The department shall make the Internet-based application in an understandable and uniform format and, to the maximum extent practicable, in a language that parents and legal guardians can understand. A public school may make the Internet-based application available for school meal applications on the public school's publicly accessible website. ~~If a public school implements the Internet-based application process under this section, the~~ All public ~~school~~ schools shall continue to distribute paper applications for school meals to all students. A public school ~~implementing the Internet-based application~~ is solely responsible for processing that school's online applications. Data submitted through the Internet-based application may not be visible to the department and must be transmitted directly to the applicable public school.

See title page for effective date.