

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Invest in Maine's Young Children

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

PART A

Sec. A-1. 5 MRSA§12004-J, sub-§16 is enacted to read:

16.

Children

Maine
Children's Growth
Council

5 MRSA
§24010

Legislative
Per Diem and
Expenses for
Legislators and for
certain members

Sec. A-2. 5 MRSA Pt. 30 is enacted to read:

PART 30

INVESTMENT IN YOUNG CHILDREN

CHAPTER 621

OFFICE OF THE CHILD ADVOCATE

§ 24001. Office of the Child Advocate

The Office of the Child Advocate, referred to in this chapter as "the Child Advocate," is established as described in this section to provide ongoing, coordinated advocacy on behalf of young children. For the purposes of this chapter, "young children" means children from birth through 5 years of age.

1. Child Advocate. The Child Advocate shall operate by a competitively awarded contract with a nonprofit organization that the Department of Health and Human Services determines is best able to perform the duties of the office. The Child Advocate shall dedicate its work to ensuring the best possible start in life for young children in the State, setting as priorities:

A. Public policies and partnerships that maximize the cost-effectiveness and efficiency of the State's investment in young children and eliminate duplication of programs, services and administrative structures, and

B. Increased access to high-quality early care and education programs and services that meet the evolving needs of and strengthen the State's children and families.

2. Duties. The duties of the Child Advocate include, but are not limited to:

- A. Providing advocacy and representation regarding state policy, administrative structures and service delivery models, identification of unmet needs of children and families and proposals affecting young children, including legislation, agency rules and budget proposals;
- B. Researching and undertaking data collection;
- C. Reviewing legislative studies and the recommendations of advisory committees related to young children and the Children's Cabinet;
- D. Advising the Maine Children's Growth Council, established in section 12004-J, subsection 16, regarding its long-term plan for investment in the healthy development of young children;
- E. Creating and updating a business plan for early childhood investment tailored to the specifics of the economy and demographics of the State that builds on an assessment of needs and provides opportunities for public-private partnerships;
- F. Serving as an early childhood information clearinghouse for the State; and
- G. Documenting and raising public awareness of the connections between economic growth and investment in early care and education.

3. Research and evaluation. The Child Advocate shall provide for ongoing evaluation of the effects of public investment on programs and services to benefit young children and their families through a long-term research program provided through contracted services with an independent entity that matches funding provided by the Child Advocate with funding from other sources in an equal amount. The research program must include:

- A. Analysis and statistical estimation of program impacts, quantification of the costs and benefits of public expenditures and documentation of the effects of investments on children, parents, government revenue and expenditures and the economy statewide;
- B. A longitudinal database of child and family outcomes and economic and fiscal impact;
- C. Regular consultation with the Child Advocate, the Maine Children's Growth Council established in section 12004-J, subsection 16, agencies implementing new programs or investments in young children and their families regarding data collection needs and design and processes to ensure the validity of the research and documentation of program effects; and
- D. Submission of reports to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over health and human services matters midway through the contract period and 30 days prior to the end of the contract.

4. Reports. The Child Advocate shall submit an annual report of the activities and accomplishments of the Child Advocate to the Department of Health and Human Services, the Governor and the Legislature by December 15th of each year and may submit other reports the Child Advocate determines to be appropriate.

5. Records. The records of the Child Advocate are public records for the purposes of the State's freedom of access laws.

CHAPTER 623

MAINE CHILDREN'S GROWTH COUNCIL

§ 24010. Maine Children's Growth Council

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

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

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

2. Establishment. The Maine Children's Growth Council, as established in section 12004-J, subsection 16, is created to develop, maintain and evaluate a plan for sustainable social and financial investment in healthy development of the State's young children and their families.

3. Membership. The council consists of 27 members who must have a strong interest in early childhood and early care and education and must be influential in their communities:

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

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

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

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

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

F. One person representing child abuse and neglect prevention, appointed by the Speaker of the House;

G. One person representing postsecondary education, appointed by the Governor;

H. Eight persons representing statewide, membership or constituent organizations that advance the well-being of young children and their families, nominated by their organizations and appointed by the Governor, of whom:

(1) Three must represent statewide organizations or associations involved in early care and education programs, child care centers, Head Start programs, family child care providers, resource development centers, programs for school-age children, child development services, physicians and child advocacy.

(2) One must represent a law enforcement organization involved with children;

(3) One must represent an organization that works on community organization and mobilization;

(4) One must represent public health;

(5) One must represent the Maine Economic Growth Council; and

(6) One must represent a labor organization.

I. One person representing a statewide association of business and industry and one person representing a business roundtable on early childhood investment, appointed by the Governor;

J. One member of the public, appointed by the Governor; and

K. Three ex-officio, nonvoting members: the Commissioner of Education or the commissioner's designee, a Department of Health and Human Services employee who works with early childhood programs including Head Start and a person representing the office within the Department of Health and Human Services that is the fiscal agent for the federal grant program for comprehensive early childhood initiatives.

4. Terms of appointment. Except for ex-officio members, members of the council are appointed for terms of 3 years. Members who are Legislators are appointed for the duration of the legislative terms in which they were appointed. Members who are not Legislators may serve beyond their designated terms until their successors are appointed.

5. Cochairs. The Governor shall appoint cochairs for the council.

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

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

8. Staffing; funding. The council may hire staff as necessary for its work and as resources permit. The council may accept grant funding and other funding as may be available for the work of the council. The Department of Health and Human Services shall act as fiscal agent for the council.

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

§ 24011. Duties

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

A. Reviewing and addressing recommendations of legislative studies and advisory committees regarding young children and the Children's Cabinet;

B. Adopting and updating a long-term plan for investment in the healthy development of young children that will achieve sustainable social and financial investment in the healthy development of young children and their families.

(1) In adopting and updating the plan the council shall consult and coordinate with members of the public, the Children's Cabinet, the Department of Education, the Department of Health and Human Services and advocates, community agencies and providers of early care and education and services to children and their families; monitor and evaluate progress in accomplishing the plan's vision, goals and performance indicators and best practice research; and consider the changing economic and demographic conditions and the effect of investments on economic growth and productivity.

(2) The plan must include strategies:

(a) To create and sustain a unified, statewide early childhood services system that provides essential resources for children, shares common standards for quality, respects the diversity and uniqueness of young children and their families, reflects a commitment to sustainable growth, includes family representation, recognizes the importance of child care in sustaining employment for parents and recognizes the value of new forms of cooperation among government, business and society in achieving the goals of the plan; and

(b) For overall investment and prioritization of early childhood and education programs, services and initiatives and to address workforce education and training issues, utilization of community partners across the state and investments in technology and infrastructure; and

C. Reporting by January 15, 2010 and every 2 years thereafter to the Department of Health and Human Services, the Governor, the Children's Cabinet and the Legislature on the activities and accomplishments of the council and its long-term plan for investment in the healthy development of young children, and issuing such other reports as the council determines to be appropriate.

§ 24012. Records and meetings

1. Public records and meetings. The records of the council are public records and meetings of the council are public meetings for the purposes of the State's freedom of access laws.

Sec. A-3. Needs assessment; research. The Office of the Child Advocate, established pursuant to the Maine Revised Statutes, Title 5, section 24001, shall enter into a contract with an independent organization to carry out research to evaluate the effect of public investment in programs and services to benefit young children and their families during fiscal year 2009-10.

The Office of the Child Advocate shall complete a comprehensive statewide needs assessment of the early childhood system during state fiscal years 2008-09 and 2009-10 through a contract with an independent organization.

1. At a minimum, the needs assessment must document the supply of and need for early care and education services for children from birth through 5 years of age, identify priorities for addressing unmet needs and document the needs of the child care workforce. The needs assessment must include a direct survey of families with a child under one year of age for the purpose of identifying emerging needs. The needs assessment must require consultation and coordination with state agencies and other entities, including but not limited to the Office of the Child Advocate, the Maine Children's Growth Council, the Children's Cabinet and the Child Care Advisory Council.

2. By December 1, 2009 the needs assessment report must be submitted to the Governor and to the joint standing committee of the Legislature having jurisdiction over health and human services matters, which may submit a bill to the 124th Legislature related to the findings of the needs assessment.

Sec. A-4. Initial appointments to the Maine Children's Growth Council. In making the initial appointments to the Maine Children's Growth Council established pursuant to the Maine Revised Statutes, Title 5, chapter 623, the appointing authorities shall consider for appointment the persons who serve on the Children's Cabinet Task Force on Early Childhood.

PART B

Sec. B-1. 10 MRSA §1026-M, sub-§6, ¶C, as amended by PL 1999, c. 401, Pt. OOO, §2, is further amended to read:

C. The authority and each corporation shall establish interest rates, amortization schedules and repayment terms for each borrower, except that loans may not be for a term longer than 20 years and:

(1) Loans to a quality child care project ~~may not~~must bear a rate of interest ~~that, when added to the commitment fee and administrative and technical assistance cost, is less than 6% or exceeds the prime rate of interest~~equal to 3%, not including any administrative costs or fees; or

(2) Loans to any other eligible borrower may not bear a rate of interest greater than the prime rate of interest plus 7%.

Sec. B-2. 22 MRSA §262 is enacted to read:

§ 262. Home visiting

1. Voluntary universal home visiting program. The department, as permitted by the availability of funds, shall offer a voluntary universal home visiting program for new families with children from the prenatal stage of development through 5 years of age, regardless of family income level. The home visiting program must incorporate the following principles:

- A. Healthy and strong parent-child attachment;
- B. Physical and behavioral health of the family;
- C. Reduced incidence of child abuse and neglect;
- D. Positive and creative learning environments for the child;
- E. Effective and positive parenting;
- F. Parental competencies and self-confidence;
- G. Reducing family isolation through community linkages;
- H. School readiness; and
- I. Family self-sufficiency.

Sec. B-3. Public education; simplification of application. The Finance Authority of Maine shall undertake a public education campaign to increase the level of awareness of loans available for improvements to the physical site of child care facilities granted under the Regional Economic Development Revolving Loan Program and shall simplify the application to be submitted by those seeking loans under this program. By January 15, 2009, the Finance Authority of Maine shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters outlining the campaign and the simplification of the application.

Sec. B-4. Quality child care education and scholarship program. The Finance Authority of Maine shall amend rules governing the quality child care education and scholarship program as established by the Maine Revised Statutes, Title 20-A, section 11670 to increase the amount of funding available for scholarships as provided in this Act and the amount distributed per course and to increase the annual maximum disbursement from \$2,000 to \$3,000. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. B-5. Review of unification of policies governing child care subsidies. The Department of Health and Human Services shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 15, 2009 regarding the benefits, cost-effectiveness and effect on families of unifying the policies governing child care subsidies granted by Temporary Assistance to Needy Families and the Office of Child Care and Head Start. The report may include recommendations, and legislation if appropriate, that will encourage the use of high-quality child care providers by families receiving these subsidies.

Sec. B-6. Regional collaboration coaches for prekindergarten programs. The Department of Education, in collaboration with the Department of Health and Human Services, shall employ 4 regionally assigned community collaboration coaches to facilitate the development of locally designed comprehensive quality early childhood systems among prekindergarten programs as recommended by the Commission to Develop a Strategic Priorities Plan for Maine's Young Children established pursuant to Resolve 2007, chapter 136.

Sec. B-7. Appropriations and allocations. The following appropriations and allocations are made.

FINANCE AUTHORITY OF MAINE

FHM - Public Education Campaign N045

Initiative: Allocates ongoing funds beginning in fiscal year 2008-09 for a public education campaign to increase the awareness of loans available for improvements to the physical site of child care facilities granted under the Regional Economic Development Revolving Loan Program.

FUND FOR A HEALTHY MAINE	2007-08	2008-09
All Other	\$0	\$10,000
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FUND FOR A HEALTHY MAINE TOTAL	\$0	\$10,000

FHM - Quality Child Care 0952

Initiative: Allocates funds to increase the amount of funding available for the Quality Child Care Education Scholarship Fund.

FUND FOR A HEALTHY MAINE	2007-08	2008-09
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All Other	\$0	\$200,000
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FUND FOR A HEALTHY MAINE TOTAL	\$0	\$200,000
FINANCE AUTHORITY OF MAINE DEPARTMENT TOTALS	2007-08	2008-09
FUND FOR A HEALTHY MAINE	\$0	\$210,000
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DEPARTMENT TOTAL - ALL FUNDS	\$0	\$210,000

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

FHM - Head Start 0959

Initiative: Allocates funds to help fund the costs of the establishment of collaboration coaches to facilitate the development of locally designed comprehensive quality early childhood systems among prekindergarten programs.

FUND FOR A HEALTHY MAINE	2007-08	2008-09
All Other	\$0	\$24,500
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FUND FOR A HEALTHY MAINE TOTAL	\$0	\$24,500

FHM - Office of the Child Advocate N043

Initiative: Allocates funds for the Office of the Child Advocate to provide ongoing, coordinated advocacy on behalf of young children from birth through 5 years of age.

FUND FOR A HEALTHY MAINE	2007-08	2008-09
All Other	\$0	\$115,000
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FUND FOR A HEALTHY MAINE TOTAL	\$0	\$115,000

FHM - Office of the Child Advocate N043

Initiative: Allocates funds for the costs of a comprehensive statewide needs assessment of the early childhood system.

FUND FOR A HEALTHY MAINE	2007-08	2008-09
All Other	\$0	\$70,000
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FUND FOR A HEALTHY MAINE TOTAL	\$0	\$70,000

FHM - Office of the Child Advocate N043

Initiative: Allocates funds to purchase economic analysis services for research projects.

FUND FOR A HEALTHY MAINE	2007-08	2008-09
All Other	\$0	\$30,000
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FUND FOR A HEALTHY MAINE TOTAL	\$0	\$30,000

Maine Children's Growth Council N044

Initiative: Provides a base allocation in the event that funds are received to fund the work of the Maine Children's Growth Council.

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
All Other	\$0	\$500
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$500

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF
 (FORMERLY DHS)
 DEPARTMENT TOTALS**

	2007-08	2008-09
FUND FOR A HEALTHY MAINE	\$0	\$239,500
OTHER SPECIAL REVENUE FUNDS	\$0	\$500
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DEPARTMENT TOTAL - ALL FUNDS	\$0	\$240,000

LEGISLATURE

Legislature 0081

Initiative: Allocates funds for the per diem and expenses of legislative members of the Maine Children's Growth Council.

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
Personal Services	\$0	\$1,320
All Other	\$0	\$1,200
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$2,520
LEGISLATURE		
DEPARTMENT TOTALS	2007-08	2008-09
OTHER SPECIAL REVENUE FUNDS	\$0	\$2,520
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DEPARTMENT TOTAL - ALL FUNDS	\$0	\$2,520
SECTION TOTALS	2007-08	2008-09
FUND FOR A HEALTHY MAINE	\$0	\$449,500
OTHER SPECIAL REVENUE FUNDS	\$0	\$3,020
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SECTION TOTAL - ALL FUNDS	\$0	\$452,520

SUMMARY

This bill is a committee bill from the majority of the committee. The bill establishes the Office of the Child Advocate through contracted services for the purpose of ongoing, coordinated advocacy on behalf of young children. It establishes the Maine Children's Growth Council to develop, maintain and evaluate a long-term plan for investment in the healthy development of Maine's young children and their families and to review and address recommendations of studies and advisory committees and the Children's Cabinet. The bill provides for a research and evaluation contract and a needs assessment contract. The bill changes the rate of interest on quality child care project loans, requires the Department of Health and Human Services to offer voluntary universal home visiting for new families as permitted by the availability of funds and requires the Finance Authority of Maine to undertake a public education campaign regarding the availability of loans for child care facilities. The bill provides increased funding for quality child care education scholarships, requires a report on the benefits, cost-effectiveness and effect on families of unifying policies governing child care subsidies and provides funding for regional collaboration coaches for prekindergarten programs. In making the initial appointments to the Maine Children's Growth Council, the bill requires the appointing authorities to consider for appointment persons who serve on the Children's Cabinet Task Force on Early Childhood.

FISCAL NOTE REQUIRED
(See attached)