

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

Amend the bill by striking out the title and substituting the following:

'An Act Regarding Residential Care Facilities for Children'

Amend the bill by striking out everything after the title and before the summary and inserting the following:

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

Whereas, allowing parents to reside in residential child care facilities is needed in the child welfare system to assist families to stay together; 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 enacted by the People of the State of Maine as follows:

Sec. 1. 22 MRSA §8107, sub-§4 is enacted to read:

4. Parents of children receiving services. Adult parents may reside with their children in a residential child care facility in order to facilitate the care of the child when the department has determined it to be in the best interest of the child.

Sec. 2. 22 MRSA §8107, as amended by PL 1989, c. 355, §3, is further amended by adding at the end a new paragraph to read:

The department may adopt rules to implement this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

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

SUMMARY

This amendment replaces the bill. It adds an emergency preamble and clause to the bill. The amendment provides a mechanism for an adult parent to live with a child in a licensed residential child care facility when it is in the best interest of the child and grants the Department of Health and Human Services rule-making authority with regard to child welfare placement exceptions.