

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 scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

PORTLAND LITHOGRAPH COMPANY
PORTLAND, MAINE
1977

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED AT THE
FIRST REGULAR SESSION
of the
ONE HUNDRED AND EIGHTH LEGISLATURE
1977

1027, subsection 2, paragraph C, the party making the complaint may simultaneously seek injunctive relief from the Superior Court in the county in which the prohibited practice is alleged to have occurred pending the final adjudication of the board with respect to such matter.

Sec. 19. 26 MRSA § 1031, 1st sentence, as enacted by PL 1975, c. 603, § 1, and as amended by PL 1975, c. 671, § 26, is further amended to read:

A collective bargaining agreement between the university ~~or~~, the academy, the vocational-technical institutes or the state schools for practical nursing and a bargaining agent may provide for binding arbitration as the final step of a grievance procedure but the only grievances which may be taken to such binding arbitration shall be disputes between the parties as to the meaning or application of the specific terms of collective bargaining agreement.

Sec. 20. 26 MRSA § 1034, sub-§ 2, as enacted by PL 1975, c. 603, § 1, and as amended by PL 1975, c. 671, § 27, is further amended to read:

2. No restriction on eligibility for federal grant-in-aid or assistance programs. Nothing in this chapter or any contract negotiated pursuant to this chapter shall in any way be interpreted or allowed to restrict or impair the eligibility of the university, any of its campuses or units ~~or the~~, academy, vocational-technical institutes or state schools for practical nursing in obtaining the benefits under any federal grant-in-aid or assistance programs.

Sec. 21. Appropriation. There is appropriated from the General Fund to the Executive Department, Office of State Employee Relations, the sum of \$29,000 for the fiscal years 1977-78 and 1978-79 to carry out the purposes of this Act. The breakdown shall be as follows:

	1977-78	1978-79
EXECUTIVE DEPARTMENT		
Office of State Employee Relations		
Positions	(1)	(1)
Personal Services	\$12,000	\$17,000

Effective October 24, 1977

CHAPTER 582

AN ACT Authorizing Expenditures for Health Care Alternatives.

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

Sec. 1. 22 MRSA § 3172, sub-§ 2 is enacted to read:

2. Home health care. "Home health care" means nursing services and other therapeutic services provided without a requirement that hospitalization should be an antecedent to care and provided on an intermittent visiting basis to individuals in their homes or other place of residence, excluding hospitals, extended care facilities, rehabilitation centers and skilled nursing homes. In addition to skilled nursing, these services may include physical therapy, speech therapy, occupational therapy, medical social services, home health aide services and such other services and standards of care as may be defined by the department which are pursuant to, consistent with and necessary to the administration of home health care within the intent of section 3173.

Sec. 2. 22 MRSA § 3173, 2nd ¶, as enacted by PL 1973, c. 790, § 2, is repealed and the following enacted in its place:

The department is authorized and empowered to make all necessary rules and regulations, consistent with the laws of this State, for the administration of these programs including, but not limited to, establishing conditions of eligibility and types and amounts of aid to be provided and defining the term "medically indigent," and the type of medical care to be provided. In administering programs of aid, the department shall, among other services, emphasize developing and providing financial support for preventive health care and home health care in order to assure that a comprehensive range of health care services is available to Maine citizens. Preventive health services shall include, but need not be limited to, programs such as early periodic screening, diagnosis and treatment; public school nursing services; child and maternal health services; and dental health education services. To meet the expenses of emphasizing preventive health care and home health care, the department is authorized to expend for each type of care no less than 1.5% of the total sum of all funds available to administer medical or remedial care and services eligible for participation under the United States Social Security Act, Title XIX and amendments and successors to it.

Sec. 3. Report. The Department of Human Services shall submit a report to the Joint Standing Committee on Health and Institutional Services, prior to February 1, 1978, which identifies the programs of home health care and preventive health for which funds have been provided under this Act, and the amounts of money expended on each individual program, and which includes an assessment of the impact of these expenditures.

Sec. 4. Appropriation. There is appropriated from the General Fund to the Department of Human Services, Medical Care Account, for the provision of additional home health care, the sum of \$100,000 to carry out the purposes of this Act. The breakdown shall be as follows:

	1977-78	1978-79
HUMAN SERVICES, DEPARTMENT OF		
Medical Care Account		
All Other	\$50,000	\$50,000

Any unexpended balance remaining on June 30, 1978 and 1979 shall not lapse, but shall remain a continuing carrying account to pay

for any valid accounts for services rendered prior to January 1, 1980.

Effective October 24, 1977

CHAPTER 583

AN ACT to Provide for Budgeting of State Expenditures of Federal Funds.

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

Sec. 1. 2 MRSA § 4, 1st sentence, as amended by PL 1975, c. 771, § 5, is further amended to read:

The ~~Governor~~ Treasurer of State is authorized and empowered to accept for the State any federal funds or any equipment, supplies or materials apportioned under federal law and to do such acts as are necessary for the purpose of carrying out such federal law.

Sec. 2. 2 MRSA § 4, as amended by PL 1975, c. 771, § 5, is further amended by adding at the end a new sentence to read:

The authority granted by this section shall be subject to the limitations specified in Title 5, chapter 150.

Sec. 3. 5 MRSA § 1662, sub-§ 1-A is enacted to read:

1-A. Federal expenditure budget. To prepare and submit to the Governor, annually, a federal expenditure budget in accordance with chapters 141 to 155.

Sec. 4. 5 MRSA c. 150 is enacted to read:

CHAPTER 150

FEDERAL EXPENDITURE BUDGET

§ 1681. Definitions

For purposes of this chapter, except as otherwise indicated, the following definitions shall apply.

1. Federal expenditure. "Federal expenditure" shall mean any and all financial assistance made to a state agency or to an employee of such an agency acting in his official capacity by the United States Government, whether a loan, grant, subsidy, augmentation, advance, reimbursement or any other form where such financial assistance will be expended by the state