MAINE STATE LEGISLATURE

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STATE OF MAINE

ONE HUNDRED AND TWELFTH LEGISLATURE SECOND REGULAR SESSION

JOINT STANDING COMMITTEE ON

HUMAN RESOURCES

BILL SUMMARY



MAY 1986

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ONE HUNDRED AND TWELFTH LEGISLATURE SECOND REGULAR SESSION

JOINT STANDING COMMITTEE BILL SUMMARIES MAY 1986

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature, covering the Second Regular Session of the 112th Legislature. The summaries are arranged by LD number under each committee.

All Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "CA" if it is a committee amendment. If the amendment was adopted in the House, the letter H appears after the sponsor. If it was adopted in the Senate, the letter S appears.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Key to Committee Reports and Floor Action:

Ought to Pass OTP Ought to Pass in New Draft OTP-ND Ought to Pass in New Draft, New Title OTP-ND-NT Ought to Pass as Amended OTP-AM Ought Not to Pass ONTP Leave to Withdraw LVWD Indefinitely Postponed INDEF PP

- A. retains the authority of the the Department of Agriculture, Food and Rural Resources to enforce the law:
- B. prohibits incorrect labeling of the packages and prohibits manufacture, sale, delivery or holding for sale of nonlabeled goods;
- C. requires the label to be conspicuous;
- D. provides for an embargo of the goods for violations of this law. Section 2 of the new draft prohibits any monetary penalties for violations; and E. allows the Commissioner of Agriculture, Food and Rural Resources to provide a warning or notice of a minor violation prior to embargoing the goods.
- 6. It added an effective date of January 1, 1987, to allow adequate notice of this labeling requirement.

Subsequent to the introduction of the new draft the committee reviewed testimony that:

- it is probably unconstitutional to label coffee decaffeinated with methylene chloride as containing a "probable carcinogen";
- 2. methylene chloride was not permitted in processing decaffeinated tea;
- 3. the EPA indicates a higher risk from methylene chloride than the FDA; and
- 4. it may be legal to require methylene chloride to be labeled as a residue, but the coffee industry would institute costly lawsuits to verify its legality.

The committee then introduced a "JOINT RESOLUTION MEMORIALIZING CONGRESS TO EVALUATE FURTHER THE HEALTH RISK FROM THE PRESENCE OF METHYLENE CHLORIDE AS A RESIDUE FROM ITS USE AS A SOLVENT IN THE EXTRACTION OF CAFFEINE FROM GREEN COFFEE BEANS."

LD 2280 AN ACT TO AUTHORIZE ADDITIONAL FACILITIES FOR LONG-TERM CARE

PS&L 1985 c. 133 EMERGENCY

Sponsor: BUSTIN for the STUDY COMMITTEE

Committee Report: OTP

S-522 SA

S-538 SB H S

SUMMARY: This bill was referred to the Appropriations Committee but is included in the Human Resources bill summaries since it was the result of a study initiated by that committee.

The Joint Select Committee on Nursing Home Needs studied the long-term care needs for Maine's citizens. That study determined that Maine's population in need of long-term care will increase considerably over the next 25 years. The committee identified a shortage in intermediate care facility beds and skilled nursing facility beds in Maine. This shortage was exacerbated by the fact that no new beds had been funded during the last fiscal year. There is a 2-year to 3-year delay in constructing new beds from the time they are authorized because of the competitive certificate of need process to determine who will receive the new beds and because of the time required for construction.

This bill provided authorization for 270 new beds.

The bill was amended by S-538. It added an emergency preamble, emergency clause and authorization to the Department of Human Services to transfer surplus funds, up to a maximum of \$500,000, in the payments to Providers of Intermediate Care to the Medical Care Payments to Providers to aid in the state match of the Home Base Care - Elderly Medicaid waiver financial program.

S-522 was a duplicate of S-538, but without the \$500,000 limit on transfers.

LD AN ACT TO PROVIDE A PERIODIC COST-OF-LIVING PL 1985
2292 ADJUSTMENT IN THE STATE REIMBURSEMENT TO C. 791
BOARDING CARE FACILITIES

Committee Report: New draft LD 2046 with new title (Maj.Rpt)

SUMMARY: This new draft replaced the original bill as the majority report of the Committee. It deletes the provision concerning reasonable cost reimbursement, but retains the annual inflation increases in the flat rate reimbursement providing an increase effective July 1, 1986, and continuing annually thereafter from January 1, 1987. The new draft also retains current provision of the law, without change, concerning reimbursement for adult foster homes which was inadvertently repealed in the original bill.