

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)

**STATE OF MAINE
116TH LEGISLATURE**

FIRST REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
HUMAN RESOURCES**

JULY 1993

Staff:
Paul J. Saucier, Legislative Analyst

*Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207)287-1670*

MEMBERS:

**Sen. Judy A. Paradis
Sen. John E. Baldacci
Sen. Philip E. Harriman*

**Rep. Sharon Anglin Treat
Rep. Donald H. Gean
Rep. Joline Landry Beam
Rep. Michael F. Brennan
Rep. Michael J. Fitzpatrick
Rep. Birger T. Johnson
Rep. Elizabeth Townsend
Rep. Peggy A. Pendleton
Rep. Joan M. Pendexter
Rep. Joseph Bruno*

**Denotes Chair*

MARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST
JULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
MARION HYLAN BARR
JON CLARK
LISA COPENHAVER
DEBORAH C. FRIEDMAN
MICHAEL D. HIGGINS
JILL IPPOLITI



JOHN B. KNOX
ROY W. LENARDSON
PATRICK NORTON
JANE ORBETON
MARGARET J. REINSCH
PAUL J. SAUCIER

JOHN G. KELLEY, RESEARCHER
DARLENE A. SHORES LYNCH, RESEARCHER
CARRIE C. McFADDEN, RESEARCHER

STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL: (207) 287-1670
FAX (207) 287-1275

**ONE HUNDRED AND SIXTEENTH LEGISLATURE
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

JULY 1993

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. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>ONTP</i>	<i>Ought Not to Pass report accepted</i>
<i>ENACTMENT FAILED</i>	<i>Bill failed to get majority vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference formed but unable to agree</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin.

If you have any suggestions or comments on these summaries, please let us know.

4693NRG

LD 641 **An Act to Equalize Mental Health Funding Across Regions** **ONTP**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
FLOWMAN COFFMAN	ONTP	

SUMMARY

This bill requires the Department of Mental Health and Mental Retardation to equalize mental health funding across the service delivery regions by July 1, 1996.

LD 654 **An Act to Prohibit Smoking in Restaurants** **DIED BETWEEN BODIES**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
HILLOCK HANLEY	OTP-AM MAJ ONTP MIN	

SUMMARY

This bill prohibits smoking in restaurants.

LD 690 **An Act Related to Special Education Costs** **CARRIED OVER**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BRANNIGAN PARADIS J		

SUMMARY

Under the "Ribicoff option," some children may be eligible for Medicaid services when they are living away from home, such as at a residential treatment center. The State's Medicaid program recently exercised the Ribicoff option. This bill directs the Department of Human Services to work with the Department of Education to identify and implement expanded Ribicoff applications.

This bill has been carried over the Second Regular Session.

LD 697 **An Act to Amend Certificate of Need Provisions Regarding Home Health Care Services** **PUBLIC 283**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
ESTY	OTP-AM	S-180

SUMMARY

Current law requires a certificate of need for initial licensure of a home health care agency. This bill retains the requirement that the agency, once licensed, is required to obtain a certificate of need under any other provision of the Maine Certificate of Need Act of 1978, such as new service or capital expenditures, but does not require a certificate of need for initial licensure.

Amendment S-180 replaces the bill and provides for a reduced level of review and a reduced application fee for most certificate of need applications for home health care providers. The Department of Human Services is required to review those applications only to determine whether the applicant is fit, willing and able to provide the proposed services at the proper standard of care. Home health care providers'

applications are subject to full certificate of need review only if they involve 3rd-year operating costs of over \$500,000 or if ownership of an existing agency is being transferred. The amendment also adds a fiscal note to the bill.

LD 705 An Act to Repeal the Sterilization Procedures Review Committee ONTP

SPONSOR(S) PENDLETON	COMMITTEE REPORT ONTP	AMENDMENTS ADOPTED
--------------------------------	---------------------------------	---------------------------

SUMMARY

This bill repeals the Sterilization Procedures Review Committee.

Although this bill did not pass, the Committee was repealed in a separate LD. See also LD 1093.

LD 711 Resolve, Concerning a Special Revenue Account for Emergency Medical Services RESOLVE 14

SPONSOR(S) CARROLL	COMMITTEE REPORT OTP-AM	AMENDMENTS ADOPTED H-230
------------------------------	-----------------------------------	------------------------------------

SUMMARY

This resolve authorizes the Emergency Medical Services' Board to conduct a study to identify alternate funding for the State's emergency medical services and the regional councils of the statewide emergency medical services system.

Amendment H-230 adds a fiscal note to the bill.

LD 731 An Act to Ensure Small Boarding Homes Sufficient Funds to Remain Economically Viable INDEF PP

SPONSOR(S) PARADIS J	COMMITTEE REPORT OTP-AM	AMENDMENTS ADOPTED S-221
--------------------------------	-----------------------------------	------------------------------------

SUMMARY

This bill requires that small boarding homes receive reimbursement of at least \$660 per month, increasing the rate from the current \$601. It also appropriates funds for that purpose.

Amendment S-221 replaces the original bill. Rather than increasing the rate, it requires that future federal supplemental security income increases be passed on to boarding home providers, allowing the state supplemental security income to remain constant but ensuring that future federal cost-of-living increases are passed on to providers. It also adds a fiscal note to the bill.