

MAINE STATE LEGISLATURE

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STATE OF MAINE
116TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
HUMAN RESOURCES

MAY 1994

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

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1994

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, 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:

PUBLIC XXX

P&S XXX

RESOLVE XXX

CON RES XXX

EMERGENCY

ONTP

INDEF PP

FAILED ENACTMENT

FAILED EMERGENCY ENACTMENT

FAILED MANDATE ENACTMENT

DIED BETWEEN BODIES

CONF CMTE UNABLE TO AGREE

VETO SUSTAINED

UNSIGNED

DIED ON ADJOURNMENT

Chapter # of enacted Public Law

Chapter # of enacted Private & Special Law

Chapter # of enacted Resolve

Chapter # of Constitutional Resolution passed by both Houses

Enacted law takes effect sooner than 90 days

Ought Not to Pass report accepted

Bill Indefinitely Postponed

Bill failed to get majority vote

Emergency bill failed to get 2/3 vote

Bill imposing local mandate failed to get 2/3 vote

House & Senate disagree; bill died

Committee of Conference unable to agree; bill died

Legislature failed to override Governor's Veto

Not signed by Governor within 10 days

Action incomplete when session ended; bill died

These summaries were prepared by the analyst or analysts assigned to the committee. If you have any suggestions or comments on the summaries, please let us know.

5581LHS

The amendment requires the Department of Mental Health and Mental Retardation to submit a progress report to the Legislature regarding the activities of a process action team that is addressing issues of accreditation, minimum standards and quality in disability services.

The amendment requires the Department of Human Services to study the need for and feasibility of a long-term care development account in the certificate-of-need program. The department is required to submit its findings to the Legislature by November 1, 1994.

The amendment adds a fiscal note to the bill and conforms existing law to current drafting standards.

See also LD 1955 and LD 1969.

LD 1820 An Act to Encourage Effective Use of State Resources

**PUBLIC 624
EMERGENCY**

SPONSOR(S)
DAGGETT
KILKELLY

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-818

SUMMARY

This bill repeals the automatic request-for-proposal procedure that the Department of Mental Health and Mental Retardation and the Office of Substance Abuse must follow when renewing contracts of certain dollar amounts and replaces it with a departmental option to discontinue a contract if any of the following conditions exist:

Breach of contract;

Contractor loss of qualification;

Contractor failure to correct reported deficiencies or reduce costs when requested;

Contractor's unwillingness to provide services; and

Receipt of reports of poor functioning of a contractor.

COMMITTEE AMENDMENT A (H-818) replaces the original bill. It differs from the original bill as follows.

The original bill addressed contracting procedures for both the Department of Mental Health and Mental Retardation and the Office of Substance Abuse. The amendment addresses only the Department of Mental Health and Mental Retardation.

The original bill repealed the requirement that contracts of \$150,000 or more be subject to a request-for-proposal process every 6 years. The amendment retains the requirement, but increases the threshold to \$500,000 and reduces the frequency to every 8 years. In addition, the amendment waives the request-for-proposal procedure for any provider who has entered into performance-based contracts.

The amendment adds an emergency preamble and clause to the bill and clarifies that the contracts involved in the Department of Mental Health and Mental Retardation's current round of requests for proposals continue in that process only if they are for \$500,000 or more. The amendment also adds a fiscal note to the bill.