

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

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
HUMAN RESOURCES

MAY 1994

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. Robert B. Carr
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
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 adds a fiscal note to the bill.

LD 1835 An Act to Regulate Revenues for Merged Hospitals

ONTP

SPONSOR(S)

PARADIS J
TREAT

COMMITTEE REPORT

ONTP

AMENDMENTS ADOPTED

SUMMARY

This bill establishes a rate-setting mechanism for merged hospitals.

LD 1864 An Act to Enable Parents to Retain Custody in Voluntary Placements

PUBLIC 724

SPONSOR(S)

FITZPATRICK

COMMITTEE REPORT

OTP-AM

AMENDMENTS ADOPTED

H-902

SUMMARY

This bill provides that a parent or legal guardian retains legal custody of a child placed in a children's home when the only reason for the placement is to provide services for the child's emotional, behavioral or mental disorder or developmental or physical disability. Such placement must be by voluntary agreement and the Department of Human Services is responsible for the care of the child during the placement. This bill establishes court review procedures to ensure that a long-term placement is in the best interests of the child.

COMMITTEE AMENDMENT A (H-902) replaces the original bill. The original bill created an entitlement to voluntary services for certain children in need of residential placement. The amendment does not create an entitlement but grants the Department of Human Services discretion to enter into voluntary agreements, allowing parents to retain custody, if the department finds that staying in the home is detrimental to the welfare of the child and the child is at risk of entering the child protection or juvenile justice system. As in the original bill, court review is required for voluntary placements that exceed 180 days. An agreement may not be executed without the approval of the Commissioner of Human Services. The amendment also adds a fiscal note to the bill.

LD 1868 An Act to Clarify and Expand the Driver Education and Evaluation Programs in the State

PUBLIC 631

SPONSOR(S)

PENDEXTER

COMMITTEE REPORT

OTP-AM

AMENDMENTS ADOPTED

H-869

SUMMARY

This bill clarifies and adds specificity to the Driver Education and Evaluation Programs within the Office of Substance Abuse, as follows.

It authorizes a 1/2-to one-hour educational session for the first offender adult without aggravating factors. The bill requires a registrant who is 23 years of age who was under 21 years of age at the time of the offense, as a first offender, to attend the adult offender program.

It identifies operating under the influence of other drugs as defined in the Maine Revised Statutes, Title 17-A, section 1101 as an aggravating factor and requires the offender to participate in the Weekend Intervention Program for the purpose of an evaluation to determine whether treatment is necessary.