

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
118TH LEGISLATURE

SECOND REGULAR SESSION  
AND  
SECOND SPECIAL SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
HEALTH AND HUMAN SERVICES

MAY 1998

*MEMBERS:*

*Sen. Judy Paradis, Chair*  
*Sen. Susan W. Longley*  
*Sen. Betty Lou Mitchell*

*Rep. J. Elizabeth Mitchell, Chair*  
*Rep. Joseph E. Brooks*  
*Rep. Elaine Fuller*  
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**ONE HUNDRED EIGHTEENTH LEGISLATURE  
SECOND REGULAR AND SECOND SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees  
May 1998**

We are pleased to provide this summary of bills that were considered by the Joint Standing Committees of the Maine Legislature. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet ([www.state.me.us/legis/opla](http://www.state.me.us/legis/opla)).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

- CON RES XXX*..... Chapter # of Constitutional Resolution passed by both Houses
- CONF CMTE UNABLE TO AGREE*.....Committee of Conference unable to agree; bill died
- DIED BETWEEN BODIES*.....House & Senate disagree; bill died
- DIED IN CONCURRENCE*.....One body accepts ONTP report; the other indefinitely postpones the bill
- DIED ON ADJOURNMENT*.....Action incomplete when session ended; bill died
- EMERGENCY*.....Enacted law takes effect sooner than 90 days
- FAILED EMERGENCY ENACTMENT/FINAL PASSAGE*.....Emergency bill failed to get 2/3 vote
- FAILED ENACTMENT/FINAL PASSAGE*.....Bill failed to get majority vote
- FAILED MANDATE ENACTMENT*.....Bill imposing local mandate failed to get 2/3 vote
- INDEF PP*.....Bill Indefinitely Postponed
- ONTP*..... Ought Not To Pass report accepted
- OTP ND*..... Committee report Ought To Pass In New Draft
- OTP ND/NT*..... Committee report Ought To Pass In New Draft/New Title
- P&S XXX*..... Chapter # of enacted Private & Special Law
- PUBLIC XXX*..... Chapter # of enacted Public Law
- RESOLVE XXX*..... Chapter # of finally passed Resolve
- UNSIGNED*.....Bill held by Governor
- VETO SUSTAINED*.....Legislature failed to override Governor's Veto

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is June 30, 1998 and July 9, 1998 for the Second Special Session. Second Special Session laws include Public Laws beginning with Chapter 718, Private and Special Laws beginning with Chapter 82 and Resolves beginning with Chapter 117.

**LD 2161****Resolve, to Extend the Commission to Examine Rate Setting and the Financing of Maine's Long-term Care Facilities****RESOLVE 129  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-857 H-881 CAMERON S-735 MICHAUD

LD 2161 proposed to provide supplemental funding for the Commission to Examine Rate Setting and the Financing of Maine's Long-term Care Facilities.

**Committee Amendment "A" (H-857)** proposed to replace the resolve. It proposed to retain the provisions of the resolve that extend the existence of the Commission to Examine Rate Setting and the Financing of Maine's Long-term Care Facilities and appropriate \$10,000 for the expenses of the commission. It proposed to add provisions that change the focus of the study from long-term care to nursing facility care, add one consumer representative and add to the duties of the commission the responsibility to study mechanisms to provide consumer input into the reimbursement mechanism for Medicaid reimbursement and salaries, dividends and management fees in nursing facilities. The amendment also proposed to add a fiscal note.

**House Amendment "A" to Committee Amendment "A" (H-881)** was presented on behalf of the Committee on Bills in the Second Reading to make a technical change and format changes to the amendment.

**Senate Amendment "A" to Committee Amendment "A" (S-735)** proposed to more accurately reflect per diem and expense costs of legislative members of the Commission to Examine Rate Setting and the Financing of Maine's Long-term Care Facilities.

***Enacted law summary***

Resolve 1997, chapter 129 comprises the provisions of Committee Amendment "A", House Amendment "A", and Senate Amendment "A" to Committee Amendment "A". The resolve provides supplemental funding for the Commission to Examine Rate Setting and the Financing of Maine's Long-term Care Facilities and appropriates \$10,000 for the expenses of the commission. It changes the focus of the study from long-term care to nursing facility care, adds one consumer representative and adds to the duties of the commission the responsibility to study mechanisms to provide consumer input into the reimbursement mechanism for Medicaid reimbursement and salaries, dividends and management fees in nursing facilities. The resolve takes effect April 16, 1998.

**LD 2170****An Act to Implement the Recommendations of the Commission to Determine the Adequacy of Services to Persons with Mental Retardation****PUBLIC 778**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-1067 S-736 MICHAUD