

# MAINE STATE LEGISLATURE

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*State Of Maine  
121st Legislature*

*First Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Health and Human Services*

*July 2003*

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# Maine State Legislature



## Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

### 121st Maine Legislature First Regular Session

#### Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint select committees of the Maine Legislature this past session. 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 considered by the committees. It is arranged alphabetically by committee name 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:

<i>CARRIED OVER PURSUANT TO HP 1212</i> .....	<i>Bills carried over to the 2<sup>nd</sup> Regular Session</i>
<i>CON RES XXX</i> .....	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i> .....	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i> .....	<i>House &amp; Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i> .....	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> .....	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i> .....	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i> .....	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i> .....	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i> .....	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i> .....	<i>Ought Not To Pass report accepted</i>
<i>OTP-ND</i> .....	<i>Committee report Ought To Pass In New Draft</i>
<i>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PASSED</i> .....	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i> .....	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i> .....	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i> .....	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's Veto</i>

Please note that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

**David C. Elliott, Director**  
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## *Joint Standing Committee on Health and Human Services*

### ***Enacted Law Summary***

Resolve 2003, chapter 52 directs the Department of Human Services and the Department of Behavioral and Developmental Services to establish and support the Joint Advisory Committee on Select Services for Older Persons, establishes the duties of the committee and sets reporting periodic dates.

**LD 1090**                      **Resolve, To Promote Recruitment and Retention of Direct Care Workers in Long-term Care in Maine**                      **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EDMONDS LAVERRIERE-BOUCHER		

LD 1090 proposes to provide funds to increase compensation to direct care workers and creates demonstration grants for retention of direct care workers in nursing facilities, residential care facilities and home health care. The resolve also proposes to direct the Department of Human Services to study wages, benefits and reimbursement for these workers and report back to the Second Regular Session of the 121st Legislature.

**LD 1099**                      **An Act To Amend the Laws Governing the Maine Developmental Disabilities Council**                      **PUBLIC 417**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROMLEY DUDLEY	OTP-AM	S-183

LD 1099 proposed to remove the Maine Developmental Disabilities Council from within the Department of Behavioral and Developmental Services and establish the council as an independent advisory agency. It also proposed to clarify that employees of the council are not considered state employees except for the purposes of the state retirement system, the state employee health program and the Maine Tort Claims Act.

**Committee Amendment "A" (S-183)** proposed to eliminate the provision in the bill that required the Governor to appoint a current Legislator to the Maine Developmental Disabilities Council and to add an effective date of September 30, 2003. The amendment proposed to add a transfer provision regarding fiscal year 2003-04, an appropriation and allocation section regarding fiscal year 2004-05 and add fiscal note to the bill.

### ***Enacted Law Summary***

Public Law 2003, chapter 417 removes the Maine Developmental Disabilities Council from within the Department of Behavioral and Developmental Services and establishes the council as an independent advisory agency. The law clarifies that employees of the council are not considered state employees except for the purposes of the state retirement system, the state employee health program and the Maine Tort Claims Act.

Public Law 2003, chapter 417 takes effect September 30, 2003.