

# 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 electronic originals  
(may include minor formatting differences from printed original)

*State Of Maine  
122nd Legislature*

*First Regular Session and  
First Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Health and Human Services*

*August 2005*

**Staff:**

*Jane Orbeton, Senior Analyst  
Lucia Nixon, Legislative Analyst  
Patrick Norton, Deputy Director*

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

**Members:**

*Sen. Arthur F. Mayo III, Chair  
Sen. John L. Martin  
Sen. Richard W. Rosen*

*Rep. Hannah Pingree, Chair  
Rep. William R. Walcott  
Rep. Carol A. Grose  
Rep. Richard J. Burns  
Rep. Elizabeth S. Miller  
Rep. David C. Webster  
Rep. Thomas F. Shields  
Rep. James J. Campbell, Sr.  
Rep. Sarah O. Lewin  
Rep. Kevin J. Glynn  
Rep. Michael Sockalexis*



Maine State Legislature

OFFICE OF POLICY & LEGAL ANALYSIS

13 State House Station, Room 215 Cross State Office Building
Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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).

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:

- CARRIED OVER ..... Bill Carried Over to Second Regular Session
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
NOT PROPERLY BEFORE THE BODY..... Ruled out of order by the presiding officers; bill died
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 First Regular Session (unless otherwise specified in a particular law) is June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

*Joint Standing Committee on Health and Human Services*

**LD 21**                      **Resolve, Directing the Department of Health and Human Services  
To Adopt Rules Regarding the Licensing of New Opioid Treatment  
Programs**                      **RESOLVE 31**

<u>Sponsor(s)</u> MAZUREK	<u>Committee Report</u> OTP-AM    MAJ ONTP        MIN	<u>Amendments Adopted</u> H-235
------------------------------	---	------------------------------------

LD 21 proposed to require the Department of Health and Human Services, Office of Substance Abuse to adopt annual performance standards for the licensure of methadone clinics and to hold a public meeting before granting the initial license for a clinic. The bill proposed to prohibit licensing a new clinic within 2,000 feet of a licensed child care facility or a school.

***Enacted law summary***

Resolve 2005, chapter 31 requires the Department of Health and Human Services, Office of Substance Abuse to adopt rules regarding opioid treatment programs that will clarify certificate of need requirements and provide for meetings prior to licensure and annually after licensure among the programs and municipalities in which they are located and the residents of those municipalities.

**LD 33**                      **Resolve, Regarding Legislative Review of Chapter 101:  
Establishment of the Capital Investment Fund, a Major  
Substantive Rule of the Governor's Office of Health Policy and  
Finance**                      **RESOLVE 115  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u> OTP-AM    MAJ OTP-AM    MIN	<u>Amendments Adopted</u> H-636 H-685    PINGREE
-------------------	---	--

LD 33 proposed to provide for legislative review of Chapter 101: Establishment of the Capital Investment Fund, a major substantive rule of the Governor's Office of Health Policy and Finance.

***Enacted law summary***

Resolve 2005, chapter 115 provides for legislative review of Chapter 101: Establishment of the Capital Investment Fund, a major substantive rule of the Governor's Office of Health Policy and Finance. The resolve approves the rule if it is amended to add language regarding convening a panel of experts to advise the Governor's Office of Health Policy and Finance, to add public notice and meeting requirements that are similar to those provided in the Maine Administrative Procedure Act, to add as a consideration any unused balance in the Capital Investment Fund from the prior year and to exempt hospital and nonhospital projects that are funded fully with public funding from the limit on resource allocations imposed by the Capital Investment Fund.

Resolve 2005, chapter 115 was finally passed as an emergency measure effective June 17, 2005.