

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1984 to June 20, 1985
Chapters 384-End

AND AT THE

FIRST SPECIAL SESSION

November 13, 1985

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Co., Inc.
Augusta, Maine
1985

**PRIVATE AND
SPECIAL LAWS**

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the

ONE HUNDRED AND TWELFTH LEGISLATURE

1985

lack of income, resources or adequate health insurance; and

5. Policy alternatives to address problems of inadequate access to health care as determined through this study.

The Joint Standing Committee on Appropriations and the Joint Standing Committee on Human Resources shall:

1. Conduct general oversight of the study;
2. Conduct a public hearing on the study;
3. Examine the findings of the study and testimony received at public hearing; and
4. Propose such legislation as they deem necessary and feasible as a result of this inquiry.

Sec. 3. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1985-86

HUMAN SERVICES, DEPARTMENT OF

Medical Care Administration

All Other \$25,000

Effective September 19, 1985.

CHAPTER 65

S.P. 504 - L.D. 1364

AN ACT Establishing a Commission to Study Family Matters in Court.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Judicial Department, pursuant to the final report of a study of the Probate Court system, is recommending the abolition of Probate Courts and the division of probate matters between the District Court and Superior Court; and

Whereas, the same final report considered and suggested further study of family matters in court; and

Whereas, the handling of family matters is one of the most important and sensitive functions of our courts; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. Study commission created. There is established a commission to study family matters in the courts.

Sec. 2. Appointment. The commission shall consist of 10 members, as follows: Two Senators appointed by the President of the Senate; 2 Representatives appointed by the Speaker of the House of Representatives; one attorney, who is a member of the Maine State Bar Association with extensive experience in family law matters, appointed by the President of the Maine State Bar Association; the Commissioner of Human Services or his designee; a member of the Juvenile Justice Advisory Group, appointed by the Governor; a District Court Clerk, appointed by the Chief Judge of the District Court; a register of probate, appointed by the President of the Maine Association of Registers of Probate; and a member of the public, appointed by the Governor. The commission shall request the Chief Justice of the Supreme Judicial Court to appoint a Superior Court Justice, a District Court Judge and a Probate Court Judge to serve as advisors to the commission. The commission shall select a chairman from among its members.

Sec. 3. Duties. The commission shall undertake a complete study of the issue of family matters in the courts. The commission shall consider:

1. The relationship among all types of child custody proceedings, child protective proceedings, divorce proceedings, adoption proceedings, juvenile proceedings, probate proceedings and any other proceedings concerning children, domestic relations or family matters;

2. The types of court procedures and services best suited to family matters;

3. Whether family courts or family divisions of court offer advantages in administration, services and expertise available to families and expeditious, flexible and sensitive handling of family matters;

4. Whether the jurisdiction of the Probate Court should be transferred to the Superior Court and District Court;

5. Whether the jurisdiction of the Probate Court, Superior Court and District Court should be rearranged to more adequately handle family matters;

6. Whether any additional judges are needed to handle family matters; and

7. Whether any other institutional or personnel changes are needed to handle family matters.

Sec. 4. Report. The commission shall present its findings, together with any recommended legislation, to the Second Regular Session of the 112th Legislature by March 1, 1986.

Sec. 5. Assistance. The Office of Legislative Assistants shall provide assistance to the commission in carrying out its duties.

Sec. 6. Compensation. The members of the commission who are Legislators shall receive the legislative per diem, as defined in the Maine Revised Statutes, Title 5, section 12002, for days of attendance at commission meetings. All members of the commission shall receive expenses, as defined in the Maine Revised Statutes, Title 5, section 12002, upon application to the Legislative Administrative Director for those expenses.

Sec. 7. Appropriation. There is appropriated from the General Fund for the fiscal year ending June 30, 1986, the following funds to provide for a study of family matters in the courts.

1985-86

LEGISLATURE

Commission to study family matters in court.

Personal Services

\$1,000

	<u>1985-86</u>
All Other	<u>6,000</u>
Total	\$7,000

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective June 27, 1985.

CHAPTER 66

S.P. 351 - L.D. 999

AN ACT Relating to Medicaid Reimbursement Rates for Audiology and Speech Pathology.

Be it enacted by the People of the State of Maine as follows:

Sec. 1. Legislative intent. It is the intent of the Legislature that the Department of Human Services shall increase the portion of the Medicaid budget allocated to audiology and speech-language pathology services and speech and hearing center services by \$70,000. That money, together with the appropriate matching share from federal funds, shall be used to reimburse state-licensed audiology and speech-language providers and speech and hearing centers to increase the fee schedule for payments directly to providers and agency based providers. The fees shall be calculated on a cost-related basis, as provided by rules promulgated by the commissioner.

Sec. 2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	<u>1985-86</u>	<u>1986-87</u>
<u>HUMAN SERVICES,</u>		
<u>DEPARTMENT OF</u>		

Bureau of Medical Services		
Medical Assistance		
Program Accounts		
All other		\$50,000

Sec. 3. Allocation. The following funds are al-