

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST SPECIAL SESSION

August 21, 1989 to August 22, 1989

and

SECOND REGULAR SESSION

January 3, 1990 to April 14, 1990

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
July 14, 1990

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

J.S. McCarthy Company
Augusta, Maine
1990

RESOLVES
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION

of the
ONE HUNDRED AND FOURTEENTH LEGISLATURE

January 3, 1990 to April 14, 1990

1990-91

HUMAN SERVICES, DEPARTMENT OF

Administration - Income Maintenance

All Other \$13,000

Provides federal matching funds for computer programming and printing costs associated with the directive to address the housing needs of aid to families with dependent children recipients.

DEPARTMENT OF HUMAN SERVICES
TOTAL \$13,000

See title page for effective date.

CHAPTER 103

S.P. 704 - L.D. 1842

Resolve, to Establish a Medicaid Plan for Children and Families

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

Whereas, there are many children and families in crisis situations awaiting the availability of case management and other community support services; and

Whereas, Maine is losing millions of dollars each year in federal Medicaid revenue for services vitally necessary to Maine families; 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

Sec. 1. Interdepartmental planning. Resolved: That the Department of Human Services, Bureau of Medical Care has the responsibility for the development and implementation of the Medicaid Plan for Children and Families. The following agencies shall provide assistance to the bureau in the development and implementation: the Department of Human Services, Bureau of Child and Family Services; the Department of Educational and Cultural Services, Bureau of Instructions, Division of Special Education; the Department of Corrections, Bureau of Juvenile Corrections; and the De-

partment of Mental Health and Mental Retardation, Bureau of Children with Special Needs. The plan should identify new options or uses of Medicaid in funding child and family services and must include a means to secure any necessary federal approval as expeditiously as possible.

The interdepartmental council shall coordinate the interdepartmental planning effort and shall assign such resources as may be available to it; and be it further

Sec. 2. Definitions. Resolved: That as used in this resolve, unless the context otherwise indicates, the following terms have the following meanings.

1. Children and families. "Children and families" means individuals and their families who are or might be Medicaid eligible, and who are served or might be served by one of the 4 agencies which comprise the interdepartmental council.

2. Community support services. "Community support services" includes, but is not limited to, the following services: case management, therapeutic foster care, group care, residential treatment, in-home family support services and other related services.

3. Interdepartmental council. "Interdepartmental council" means the Committee for the Interdepartmental Coordination of Services to Children and Families as established by the Maine Revised Statutes, Title 34-B, section 1214.

4. Medicaid. "Medicaid" refers to that portion of the federal Social Security Act which provides financial support to the states for medical care; and be it further

Sec. 3. Preliminary interdepartmental planning process. Resolved: That the preliminary interdepartmental planning process must be completed by December 31, 1990. Quarterly progress reports must be submitted to the Joint Standing Committee on Appropriations and Financial Affairs. The preliminary planning process must include development of a work plan which establishes tasks to be accomplished and identifies each agency's responsibilities, including:

1. Collation of information. Collation of information on potential uses of Medicaid in supporting community-based child and family services;

2. Identification of goals. Identification and collation of existing goals, objectives and services from the 4 departments potentially eligible for funding under Medicaid;

3. Determination of administrative capability. Determination of each agency's administrative capability to meet Medicaid provider requirements and determina-

tion of any actions necessary to meet Medicaid requirements in each of the departments or the local provider agencies of the departments;

4. Identification of eligible expenditures. Identification of existing expenditures eligible for matching funds under the Medicaid program and any appropriations that could be converted to Medicaid seed dollars; and

5. Identification of implementation resources. Identification of actions and resources necessary to implement eligible service options in each of the 4 departments; and be it further

Sec. 4. Interim plan; final plan. Resolved: That the plan shall be prepared in 2 phases.

1. Interim plan. The interim plan must:

A. Be completed by March 31, 1991, and must be presented to the Joint Standing Committee on Appropriations and Financial Affairs on or before April 15, 1991;

B. Summarize the result of interdepartmental planning and actions to secure federal approval of new Medicaid options or uses;

C. Identify options needing further exploration or development and include a work plan for exploration or development;

D. Request such additional resources or statutory authorization as may be necessary to complete the plan and its implementation; and

E. Project federal revenue resulting from the completion of the interim plan which requires legislative authorization for expenditure.

2. Final plan. The final plan must:

A. Be completed by December 31, 1991, and must be presented to the Joint Standing Committee on Appropriations and Financial Affairs by January 15, 1992;

B. Specify how Medicaid will be used to support community-based services for children and families;

C. Present an allocation plan prepared by the 4 agencies of the interdepartmental council for the expenditure of revenue generated by the Medicaid Plan for Children and Families;

D. Request such additional resources or authorizations as may be necessary for full implementation of the plan; and

E. Include any necessary implementing legislation.

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

Effective April 24, 1990.

CHAPTER 104

H.P. 1837 - L.D. 2508

Resolve, Authorizing the Governor and the Atlantic Sea Run Salmon Commission to Enter into an Agreement with Edwards Manufacturing Company, Inc.

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

Whereas, Atlantic sea run salmon and other anadromous species are important natural resources of the State which must be protected and restored to further the people's interests in environmental protection and recreation; and

Whereas, the historic runs of the Atlantic sea run salmon and other anadromous species can be protected and restored in the Kennebec River, one of the State's great rivers, by providing increased spawning habitat in the Kennebec River Basin; and

Whereas, anadromous fish passage and increased spawning habitat may be protected and restored more effectively by removing or breaching the barrier commonly known as the Edwards Dam; and

Whereas, the Edwards Manufacturing Company, Inc. currently owns a licensed and operating hydroelectric facility in the Kennebec River at Augusta which includes the Edwards Dam; and

Whereas, the Federal Energy Regulatory Commission license for Project 2389, the hydroelectric facility, expires on December 31, 1993; and

Whereas, Edwards Manufacturing Company, Inc. has filed a notice of intent to file a federal application for relicensing and is applying to federal and state agencies to relicense the Edwards Dam for hydroelectric purposes; and