

MAINE STATE LEGISLATURE

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**LEGISLATIVE COUNCIL
February 16, 1993
PRELIMINARY AGENDA**

CALL TO ORDER

ROLL CALL

SECRETARY'S REPORT

*Summary of February 2, 1993, Council Meeting

EXECUTIVE DIRECTOR'S REPORT

REPORTS FROM COUNCIL COMMITTEES

Legislative Budget Committee

OLD BUSINESS

NEW BUSINESS

*Item #1: Submission of Report on Proposed Mandated Health Insurance Benefit for Lead Poison Screening in Children pursuant to statute (Ch. 810, P.L. 1991).

Item #2 After Deadline Bill Requests (list of requests filed through 2/11 enclosed)

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

* Agenda items preceded by this symbol are items for the Council's review and information. The usual motion on these items is to "accept and place on file"; in other cases, the item requires no Council action at all.



REP. DAN A. GWADOSKY
CHAIR

SEN. DENNIS L. DUTREMBLE
VICE-CHAIR

STATE OF MAINE

116th LEGISLATURE

LEGISLATIVE COUNCIL

SEN. DONALD E. ESTY, JR.
SEN. PAMELA L. CAHILL
SEN. BEVERLY MINER BUSTIN
SEN. DAVID L. CARPENTER
REP. JOHN L. MARTIN
REP. WALTER E. WHITCOMB
REP. PATRICK E. PARADIS
REP. STEPHEN M. ZIRNKILTON

SARAH C. TUBBESING
EXECUTIVE DIRECTOR

February 2, 1993

MEETING SUMMARY

CALL TO ORDER

The Council meeting was called to order by the Chair,
Representative Gwadosky, at 3:28 p.m.

ROLL CALL

Senators: Sen. Dutremble, Sen. Esty, Sen. Cahill,
Sen. Bustin, Sen. Carpenter

Representatives: Rep. Gwadosky, Rep. Whitcomb, Rep.
Paradis, Rep. Zirnkilton
Absent: Speaker Martin

Legislative Officers: Sally Tubbesing, Executive Director
Lynn Randall, State Law Librarian
John Wakefield, Director, Office of
Fiscal and Program Review
Martha Freeman, Director, Office of
Policy and Legal Analysis
Margaret Matheson, Principal Analyst,
Office of the Revisor
Joy O'Brien, Secretary of the Senate
Joseph Mayo, Clerk of the House

SECRETARY'S REPORT

The Summary of the January 7, 1993, Council meeting was approved
and placed on file. (Motion by Sen. Dutremble; second by Sen. Cahill;
unanimous).

EXECUTIVE DIRECTOR'S REPORT

Sally Tubbesing, Executive Director, reported that David Kennedy had informed her that the effort to combine duplicate and closely-related bills had resulted in the withdrawal of approximately 200 bill requests. She noted that this would reduce the initial bill load from slightly more than 2,000 to about 1,800, a number that would be augmented by both Governor's bills and approved after deadline bills.

No Council action was required.

REPORTS FROM COUNCIL COMMITTEES

Representative Gwadosky announced that the Budget Committee, which had met once, would continue its discussions following adjournment of the Council meeting.

He further reported that the Personnel Committee had met the previous week and, after a general orientation, had begun consideration of a sick bank for legislative staff. Neither Committee had any report for general Council consideration at this time.

NEW BUSINESS

The Chair, Rep. Gwadosky, asked the Council's leave to take Item #4 under New Business out of order. There being no objection, The Council proceeded to consider this item.

Item #4: After Deadline Bill Requests

After deadline requests were considered by the Legislative Council. The Council's action on these requests is included on the attached list.

RECESS

Motion: That the Council meeting be recessed until after adjournment of both houses. (Motion by Sen. Dutremble; second by Sen. Esty; unanimous).

The Council then recessed at 3:59 p.m.

RECONVENE

The Council meeting reconvened at 5:17 p.m. All Council members were present, except Speaker Martin; and the Chair, Representative Gwadosky proceeded with the printed agenda.

OLD BUSINESS

None.

NEW BUSINESS

- Item #1:** Request from Telecommunications Relay Service Advisory Council to Provide Funds for an Evaluation of the Service.

Ms. Tubbesing drew members' attention to the letter which had been included in the agenda packet. She noted that the Telecommunications Relay Service Advisory Council had been created by legislation that took effect in 1990, and that the expense of having interpreters for the hearing disabled at every Advisory Council meeting had been funded out of the legislative account pursuant to action of the 114th Legislative Council. She reported that the survey that the Advisory Council now proposes is required by the original law and that the total estimated cost of the mailed survey was less than \$500.

Motion: That this item be referred to the Joint Standing Committee on Appropriations and Financial Affairs. (Motion by Sen. Dutremble; second by Sen. Cahill; unanimous).

- Item #2:** Senate Resolution expressing the Sense of the Senate that the Legislative Council Authorize Formation of a Task Force to address the issues related to the workers' compensation rate structure.

Motion: That this item be tabled. (Motion by Sen. Dutremble; second by Sen. Cahill; unanimous).

- Item #3:** Revenue Forecasting Committee Created by Executive Order 4 FY 92/93.

Ms. Tubbesing summarized the material that had been included in the agenda packet. The Executive Order establishes two separate committees: a Consensus Forecasting Commission and a Revenue Forecasting Committee. The latter committee comprises 5 members, who all serve ex officio; one of these is the Director of the Office of Fiscal and Program Review. She noted that former Senate President Pray and Speaker Martin had originally objected to the Executive Order on the grounds that it violated the principle of separation of power. Ms. Tubbesing reported that the Revenue Forecasting Committee has now met, and that Mr. Wakefield has not participated, given that the Council has not authorized his involvement.

Council members' discussion focussed on a) whether the separation of power issue had been satisfactorily addressed (Rep. Paradis); and b) whether Mr. Wakefield had time to participate on this Committee (Sen. Dutremble). Mr. Wakefield responded that the Committee meets 4 times a year, and he felt that this would be manageable. He further observed that the Office's participation on the Committee would improve the level and quality of information related to the revenue projection process that is available to the Office.

Motion: That the item be tabled. (Motion by Sen. Cahill; second by Sen. Dutremble; unanimous).

ANNOUNCEMENTS AND REMARKS

Various Council members requested, and received, the Chair's permission to several issues for Council discussion, none of which required formal Council action.

- Taxation Committee Public Hearings

Sen. Cahill asked whether the Taxation Committee had been authorized to schedule hearings around the State and whether this needed Council authorization. Rep. Gwadosky responded that the presiding officers had the authority to approve these expenses. Sen. Dutremble added that such activity had not been authorized yet and that he would keep Sen. Cahill informed about this matter.

- Committee on Programs and Conferences

Sen. Cahill inquired whether this Committee had been appointed, whether it had met, and whether it had agreed to the Legislature's participation in the all day "summit" being cosponsored by MMA and the Maine Chamber of Commerce and Industry. She expressed concern about the number of workshops and conferences that had been scheduled and that took full days out of legislators' schedules. Sen. Dutremble agreed with her concern.

Rep. Gwadosky noted that this particular conference had been scheduled prior to the Council's discussion in December of the need to create a vehicle to "manage" the conference calendar. He reported that he had appointed a Committee on Programs and Conferences and, further, that he would be happy to ask that Committee to meet if the Council wanted to establish a formal approval process.

- Council of State Government Dues

Sen. Dutremble reported that he wanted the Council to take up the issue of paying Maine's annual dues to CSG at its next meeting, noting that he felt it was extremely important for Maine to participate in a forum with other New England States who share common economic problems and conditions.

By consensus, the Council agreed to refer this to the Budget Committee for further discussion.

- Personnel Policies regarding Alcoholism Treatment

Rep. Whitcomb asked whether the Legislature's policies addressed this issue specifically. Rep. Gwadosky agreed to put the issue on the agenda for the next meeting of the Personnel Committee.

ADJOURNMENT

The Council meeting was adjourned at 5:55 p.m., on the motion of Sen. Carpenter.

John R. McKernan, Jr.
Governor



Brian K. Atchinson
Superintendent

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
BUREAU OF INSURANCE

(207) 582-8707

Telecopier (207) 582-8716

February 8, 1993

To: Sally Tubbesing, Executive Director
Legislative Council

From: David Stetson, Bureau of Insurance *DS*

Re: Mandated Benefit Report

Section 35 of Public Law Chapter 810, which was enacted by the 115th Maine Legislature, directed the Bureau of Insurance to conduct a study on the desirability of mandating health insurance coverage for blood lead poison screening of asymptomatic children in Maine. Enclosed is the final report on that proposal. If you have any questions or require more information call me at extension 48435.

**REPORT ON
PROPOSED
MANDATED HEALTH INSURANCE BENEFIT
FOR
LEAD POISON SCREENING IN CHILDREN**

January, 1993

Presented to the 116th Maine Legislature.

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Appendix C	Childhood Lead Poisoning Risk Assessment Instrument
Appendix D	Cost/Benefit Estimate

EXECUTIVE SUMMARY

Public Law Chapter 810, "An Act to Protect Children from Lead Poisoning," which was enacted by the 115th Maine Legislature, includes a section which directs the Bureau of Insurance to conduct a study on the desirability of mandating health insurance coverage for "screening for lead poisoning, services related to lead screening and diagnostic evaluations for lead poisoning for children, including, but not limited to, confirmatory blood lead testing."

Absorption of lead has been shown to cause a variety of problems in children, ranging from lowered I.Q. scores to coma and death. Because of the seriousness of this problem, the Centers for Disease Control (CDC) have established a set of guidelines for screening of asymptomatic children. In Maine, about 7,000 children, out of approximately 100,000 under age 6 -- the age group affected by the proposed mandate, were screened during the most recent 12 month period. Of this number, 0.6% were at or above the current cutoff level of 25 μ g, which is considered a relatively high level of contamination. However, approximately 64% of the results were in the range that indicates a low level of contamination, according to reports received by the Office of Public Health Nursing. Asymptomatic children who have low level lead poisoning could benefit from early intervention and less extensive treatment. The lead screening test costs about \$15.00, plus any cost incurred in obtaining the sample.

If the proposed mandate were enacted without excluding the benefit from the policy deductible, the impact would be minimized since in most cases there would be no benefit paid unless there were other expenses in the same year to meet the

deductible. If the proposed mandate were to include language which specifically excludes the benefit from the policy deductible, coverage would be greater, but costs to insurers and to employers would be higher. As well, the administrative costs for insurance carriers, which would be passed on to policyholders, would be high in comparison to the relatively low cost of the procedure.

The efficacy of the proposed mandate is limited because it would apply only to those children who are covered by private health insurance. It would not affect those covered by self-insured plans, Medicaid or federal plans, or those who are uninsured. Low income families, for whom the cost of screening is most likely to be a barrier, are least likely to have private health insurance. Therefore, while screening appears to be quite cost effective, it is not clear to what extent the proposed mandate would increase utilization of screening.

Alternatives to the proposed mandate include instituting a testing program through schools and day care centers, or developing a system to educate health care professionals and parents of the availability and advisability of lead screening (as outlined in 22 M.R.S.A. §1317-B and §1317-C). These alternatives might be more effective and efficient in reaching the target population, although funding would be problematic.

**LEGISLATIVE COUNCIL
REQUESTS TO INTRODUCE LEGISLATION
FIRST REGULAR SESSION
February 11, 1993**

Action

SPONSOR: Rep. Bowers

**LR 2185 An Act to Encourage the Use of User Fees Regarding
Municipal Solid Waste Disposal**

SPONSOR: Rep. Driscoll

**LR 2181 An Act to Clarify the Law Concerning Complimentary
Licenses for Disabled War Veterans**

SPONSOR: Rep. Fitzpatrick

**LR 2194 An Act to Prevent Criminalization and to
Promote Jail Diversion**

SPONSOR: Rep. Larrivee

LR 2195 An Act to Support Literacy

SPONSOR: Rep. Larrivee

**LR 2196 An Act to Create a Sales Tax Exemption for
Eye Banks**

SPONSOR: Sen. Luther

**LR 2191 An Act to Amend the Selection Practices for the
Administration of the Mexico Water District**

SPONSOR: Sen. McCormick

**LR 2200 An Act to Encourage Economic Recovery in the Construction
Industry**

SPONSOR: Sen. Summers

LR 2183 An Act to Encourage Parental Responsibility

SPONSOR: Sen. Summers

**LR 2192 An Act to Maintain the Water Level of the Saco
River at 1991 Levels**

SPONSOR: Rep. Swazey

**LR 2186 An Act Concerning Removals of Valid Concealed
Weapons Permits**

SPONSOR: Sen. Vose

LR 2198 An Act to Amend the Emergency 911 Statutes

JOINT RESOLUTION

SPONSOR: Rep. Whitcomb

**LR 0053 JOINT RESOLUTION MEMORIALIZING THE PRESIDENT AND CONGRESS
OF THE UNITED STATES TO ALTER THE FLIGHT ZONES OF
HELICOPTERS**

TABLED BY THE LEGISLATIVE COUNCIL

SPONSOR:	Rep. Clark	TABLED 02/02/93
LR 2149	An Act to Require Bear Stamps for Hunting of Bear in Certain Months	
SPONSOR:	Rep. Coffman	TABLED 02/02/93
LR 2117	An Act to Freeze Tuition Rates for all In-State University of Maine System Students	
SPONSOR:	Rep. Coffman	TABLED 02/02/93
LR 2121	Resolve, to Ensure Facilities Management at the University of Maine	
SPONSOR:	Rep. Gray	TABLED 01/07/93
LR 2104	An Act to Abolish the Workers' Compensation System	
SPONSOR:	Sen. Luther	TABLED 02/02/93
LR 2118	An Act to Restore Funds to the Election Ethics Commission	
SPONSOR:	Sen. Luther	TABLED 02/02/93
LR 2127	An Act to Amend the Definition of Taxable Services to Include Ski Lift Tickets and Movie Tickets	
SPONSOR:	Sen. Summers	TABLED 01/07/93
LR 2072	An Act Concerning the Eligibility of Children of Disabled Veterans to Obtain Educational Benefits	
SPONSOR:	Sen. Summers	TABLED 01/07/93
LR 2094	An Act Regarding Muzzle Loading	
SPONSOR:	Sen. Titcomb	TABLED 02/02/93
LR 2125	An Act to Require Labeling on Genetically Engineered Food	
SPONSOR:	Rep. Zirnkilton	TABLED 01/07/93
LR 2103	An Act to Create the Seal Cove Pond Fish Stocking Program	

JOINT RESOLUTION

SPONSOR: Rep. Martin, John L.

TABLED
01/07/93

LR 1686 JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE
UNITED STATES TO ESTABLISH A NATIONAL VETERANS
CEMETERY

SPONSOR: Rep. Michaud

TABLED
01/07/93

LR 1552 JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE
UNITED STATES TO REAFFIRM AND IMPROVE OUR NATION'S
EFFORTS TO PROTECT AND RESTORE THREATENED AND
ENDANGERED SPECIES

SPONSOR: Rep. Pfeiffer

TABLED
01/07/93

LR 1857 JOINT RESOLUTION MEMORIALIZING CONGRESS RELATING
TO RU 486

SPONSOR: Rep. Simoneau

TABLED
01/07/93

LR 0960 JOINT RESOLUTION MEMORIALIZING CONGRESS ALLOWING
STATES TO SET THEIR OWN TAX POLICIES FOR CREDIT UNIONS

SPONSOR: Sen. Titcomb

TABLED
01/07/93

LR 2073 JOINT RESOLUTION MEMORIALIZING CONGRESS TO CREATE A
NATIONAL CHILD SAFETY AWARENESS WEEK