

MAINE STATE LEGISLATURE

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Services Committee. The focus would be on the funding and delivery of social services programs. The final plan would be made available to the public and the Governor in October of even-numbered years, and be approved by the Legislature after any changes.

The state agencies were opposed to a firm schedule, and preferred administrative flexibility, without statutory reference.

After discussions and negotiations, a new draft, ID 1668, was submitted.

1254 AN ACT CONCERNING SMOKING IN Sen. Bustin OTP-ND
NURSING HOMES ID 1538

SUMMARY: The bill would have banned smoking by any patients, visitors or staff in a nursing home, except in designated areas. In addition, patients would have been able to smoke only if their physician had given them written permission to do so. All smoking in nursing homes would have been banned by the end of 1985.

There was opposition to the complete ban on smoking, to involving physicians, and to calling those who reside in nursing home "patients."

1255 AN ACT TO ESTABLISH DAY CARE Sen. Wood LV/WD
SERVICES FOR STATE EMPLOYEES HSE-ACCP LV/WD
SEN-ACCP LV/WD

SUMMARY: The bill required the establishment of a state-licensed and state-operated day-care program for children of state employees in the Augusta area. The Commissioner of Human Services would be responsible for determining eligibility for the program, and the fees. After a year of operation, a report would be made to the Appropriations Committee and the Health and Institutional Services Committee; unless they recommended continuation of the program, it would be repealed in 1985.

There was concern expressed about limiting the program to the Augusta area, whether fees charged would be sufficient to support the program, and also the appropriateness of statutory provisions for what might be considered a bargaining issue for those state employees in a union.

The Committee therefore decided to withdraw the bill in favor of a Joint Resolution (SP540), which called for the formation of a Study Committee, comprising 2 legislators from the Committee, representatives from the Commission for Women, the Labor-Management Committee, and the Department of Human Services. This Study Committee would report back to the H & I S Committee by December 1, 1983.

The Joint Resolution was amended in the Senate (S-105) to include 2 legislators from the State Government Committee and representatives from AFSCME.

The House voted to indefinitely postpone the Joint Resolution, and so it did not pass.

1265 AN ACT TO PROVIDE ADVOCACY SERVICES TO RESIDENTS OF CHILDREN'S HOMES Rep. Murray OTP-A
HSE-ENACT.
SEN-ENACT.
GOV-SIGNED
PL 1983, c. 539

SUMMARY: The bill authorized the Protection and Advocacy Agency for the Developmentally Disabled (Advocates for the Developmentally Disabled) to investigate complaints of violations of the rights of developmentally disabled persons who are residents in children's homes, emergency shelters, family foster homes and residential child care facilities. The Advocates were to report to the Interdepartmental Committee regularly on these activities. The bill also provided funding for two additional staff members.

The Committee Amendment (H-295) broadened the types of residences to include specialized children's homes and residential facilities such as the Governor Baxter School for the Deaf. The reports will now be made to the Departments of Corrections, Mental Health and Mental Retardation, Educational and Cultural Services, and Human Services. The appropriation was reduced for the first year because the provisions would not be in effect for the full fiscal year.

1330 AN ACT TO AUTHORIZE COVERAGE OF MEDICAL SUPPLIES UNDER THE LOW COST DRUGS FOR THE ELDERLY PROGRAM Rep. Hayden OTP-A
HSE-ENACT.
SEN-ENACT.
GOV-SIGNED
PL 83, c. 290

SUMMARY: The bill amended the Elderly Low-Cost Drug Program by allowing medical supplies to be covered under the program, subject to available funds. It also made some technical changes in the wording of the Act (e.g., deleting "regulations"), and required the Commissioner of Human Services to have sufficient staff for the efficient administration of the program.

There was no opposition, only concern that insufficient monies were allocated for this program.

The Committee Amendment (H-178) corrected a printing error.

1337 AN ACT CONCERNING CRITERIA FOR DETERMINING NEED FOR WELFARE Rep. Livesay LV/WD
HSE-ACCP LV/WD
SEN-ACCP LV/WD

SUMMARY: This bill would have added permissible standards to be used by municipalities in determining the need of an applicant for General Assistance aid. One standard suggested was that the applicant not have expended more than 25% of income on "luxury items" in each of the 3 months preceding the application.