

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON  
HUMAN RESOURCES  
BILL SUMMARY



JUNE 1987

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ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE  
BILL SUMMARIES  
JUNE 1987

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The summaries are arranged by LD number under each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "COMMITTEE" if it is a committee amendment.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Please let us know if you would prefer a different format or additional information and if the summaries are helpful.

Key to Committee Reports and Floor Action:

|           |                                       |
|-----------|---------------------------------------|
| OTP       | Ought to Pass                         |
| OTP-ND    | Ought to Pass in New Draft            |
| OTP-ND-NT | Ought to Pass in New Draft, New Title |
| OTP-A     | Ought to Pass as Amended              |
| ONTP      | Ought Not to Pass                     |
| LVWD      | Leave to Withdraw                     |
| INDEF PP  | Indefinitely Postponed                |

LD  
1291

AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE  
DRIVER EDUCATION EVALUATION PROGRAM STUDY  
(PURSUANT TO A STUDY BY THE HUMAN RESOURCES  
COMMITTEE)

PL 1987  
c. 536  
EMERGENCY

Sponsor: MANNING  
Committee Report: OTP-A  
Amendments Adopted:  
H-389 COMMITTEE B  
H-393 MANNING HA CB  
H-405 MANNING HB CB

SUMMARY: This bill is the result of a study conducted by the Joint Standing Committee on Human Resources to evaluate the Driver Education Evaluation Programs for operating under the influence offenders.

The bill recognizes, in law, the existing Division of Driver Education Evaluation Programs (DDEEP) and the Driver Education Evaluation Program (DEEP). In addition, it addresses multiple-offenders, fees, continuing educating for treatment providers and evaluators, and coordinates services between the Division of Probation and Parole and the Division of Driver Education Evaluation Programs.

It also establishes a weekend intervention program to specifically address the offender who will not admit that he has a substance abuse problem and inserts into the chapter containing the operating under the influence laws a statement of legislative policy and intent.

Committee Amendment A which modified the original proposal, was not enacted and the bill was re-referred to committee.

Committee Amendment B replaced the original bill and incorporated the following changes into the original bill:

1. Amends the definition of alcohol or drug related motor vehicle offense;
2. Adds a definition for completion of treatment;
3. Adds a provision allowing successful completion of treatment elsewhere to be certified by DDEEP;
4. Elaborates on the Driver Education Evaluation Programs;
5. Prohibits any provider from performing both evaluations and treatment under the Driver Education Evaluation Program, but establishes a temporary emergency waiver;
6. Reduces the fee for the education and assessment aspect of the first offender program to \$105 and deletes the \$25 reduction in fee for early completion of the program;
7. Establishes a board of appeals for Driver Education Evaluation Program related decisions;
8. Limits the Secretary of State's authority to suspend a license based only on failure to successfully complete the Driver Education Evaluation Program. Further action, such as an adjudicated operating under the influence offense is necessary;
9. Makes the residential multiple offender program mandatory as a part of the sentence unless the judge waives participation in that program for completion of a residential treatment program;
10. Conforms the administrative reinstatement of license provisions for 2nd and subsequent operating under the influence offenders to federal requirements;
11. Deletes the coordinated supervision program;
12. Adds a provision which allows treating counselors to make recommendations to the Secretary of State concerning issuance of a work-restricted license;
13. Amends the allocation section; and
14. Repeals the Driver Education Evaluation program on July 1, 1988.

House amendment A to Committee amendment B;

1. Corrects the reference to certificates issued by the Division of Driver Education Evaluation Program;
2. Delays implementation of the multiple offender program and provides a nonavailability waiver to allow the department flexibility in implementing this program; and
3. Clarifies the multiple offender program fee schedule to ensure that it included the initial evaluation.

House amendment B to Committee amendment B disallows the issuance of work-restricted licenses where such issuance will result in the loss of federal highway safety incentive grants.

LD            AN ACT TO RECOGNIZE THE MAINE AREA AGENCIES ON            LVWD  
1297        AGING

Sponsor: SMITH, Stevens P, Manning, Pray  
Committee Report: LVWD

SUMMARY: This bill sought to bring the law on coordinated community programs for Maine's elderly into conformity with the United States Older Americans Act, which was amended in 1984 by Public Law 98-459.

LD            AN ACT RELATING TO STATE INVOLVEMENT IN            LVWD  
1309        INSPECTIONS AND ENFORCEMENT ACTIVITIES OF  
             NUCLEAR POWER PLANTS AND EVACUATION PLANS

Sponsor: KANY, Matthews Z, Mahany, Holt  
Committee Report: LVWD

SUMMARY: This bill sought to establish an on-site state nuclear safety inspector and to amend the designation of the planning zones surrounding Maine Yankee nuclear power plant. These concepts were enacted in LD 1416.

LD            AN ACT TO PERMIT THE USE OF HALF DOORS OR DUTCH            LVWD  
1352        DOORS TO RESTRAIN CERTAIN PATIENTS IN SKILLED  
             NURSING OR INTERMEDIATE CARE FACILITIES

Sponsor: ROLDE,  
Committee Report: LVWD

SUMMARY: This bill authorized the use of half doors to restrain Alzheimer's patients in skilled nursing and intermediate care nursing facilities.