

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
113TH LEGISLATURE  
SECOND REGULAR SESSION



BILL SUMMARY  
JOINT STANDING COMMITTEE  
ON  
HUMAN RESOURCES

MAY 1988

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Sen. Barbara A. Gill

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Staff: John R. Selser, Legal Analyst

Office of Policy & Legal Analysis  
Room 101, State House Sta. 13  
Augusta, ME 04333  
(207) 289-1670

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STATE OF MAINE  
**OFFICE OF POLICY AND LEGAL ANALYSIS**

ROOM 101/107/135  
STATE HOUSE STATION 13  
AUGUSTA, MAINE 04333  
TEL.: (207) 289-1670

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**ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST & SECOND SPECIAL SESSIONS  
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE  
BILL SUMMARIES  
MAY 1988**

*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 for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are indicated as follows::*

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

*Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Secretaries: Charlene Brann, Janet Jean, Earl Knox, Valarie Parlin; Research Assistant Hartley Palleschi. Finally, Secretary Lorette Knox, Legal Assistant Carolyn Chick, and Research Assistant Robert Dunn had special responsibilities in the preparation of the overall document.*

*Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.*

persons with the more restricted security classifications and long-term sentences; thus, they are excluded from meaningful employment and the earning of prevailing wages, which tends to have a negative effect upon rehabilitation. Federal legislation now exists which provides for 20 correctional programs throughout the country to enter into working agreements with local industries to provide for the manufacture and assembly of goods to be shipped in interstate commerce. However, these companies do not wish to have their products which may be only manufactured in part within a correctional facility labeled as manufactured by prisoner labor.

This bill exempts from labeling requirements only those goods manufactured under the Federal Certification Program. The Department of Corrections would thus be able to more readily enter into such agreements with major manufacturers and provide purposeful work for the prisoners.

**LD      An Act Relating to the Powers of the Maine Youth Center      PUBLIC**  
**1988 Employees      585**  
**EMERGENCY**

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
GILL STROUT B ANTHONY MANNING	OTP-AM	S-314

**SUMMARY**

This bill gives Maine Youth Center employees legal powers to go after youths absent without leave from the Center. This bill provides the same powers for Center employees as those available to employees of other Department of Corrections institutions. The amendment (S-314) added an emergency preamble and emergency clause.

**LD      An Act to Enforce 3rd-Party Liability Reimbursement for      PUBLIC**  
**2022 Medicaid Recipients as Required by Title XIX of the Social      621**  
**Security Act**

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
GILL TAYLOR GAUVREAU FARNUM	OTP-AM	S-325

**SUMMARY**

This bill mandates that 3rd-party claims involving Medicaid recipients be reported to the Department of Human Services, enhancing the department's recovery efforts. Both federal and state authorities, the United States Social Security Act, Title XIX, section 1902(a) (25), 42 Code of Federal Regulations 433.135-139, and the Maine Revised Statutes, Title 22, section 14, establish Medicaid as a payor of last resort and require reimbursement where 3rd-party resources become available to a Medicaid recipient. In those cases where the Medicaid program already has paid these claims, the department, under federal and state law, must recover this money.

The committee amendment (S-325) makes the following changes to the bill:

1. The notification of claim section is amended to include notice of all relevant claims, not just those against a 3rd party and to specify that the department is to determine what information is necessary in the notice of the claim.
2. The notification of pleading section is amended to delete the requirement that a pleading be filed with the department and provides for notification of the pleading. In addition, it declares that the medical records of the department concerning payments made by the department are to be considered prima facie evidence of medical expenses.
3. The disbursement of money section is amended to waive the 10-day written notice prior to distribution of the money if the department has signed a release of any obligation on the claim.
4. The amendment adds a fiscal note.

LD	An Act to Prohibit the Sale of the Substances Butyl Nitrite	PUBLIC
2024	and Isobutyl Nitrite, Commonly Referred to as "Rush" or	747
	"Lockerroom"	EMERGENCY

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
GAUVREAU	OTP-AM	S-455
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PARADIS P		

SUMMARY

Butyl nitrite and isobutyl nitrite, often called "rush" or "lockerroom," are now being used as a "recreational drug" which enters the blood quickly and lowers a person's blood pressure rapidly. It has unhealthful side effects, including nosebleeds and headaches. This bill, as amended, includes butyl nitrite and isobutyl nitrite in the Maine Revised Statutes, Title 17-A, as a Schedule Z drug, making it a Class D crime to furnish or traffick in these substances. Amyl nitrite, referred to in the original bill, is deleted by the amendment because it is regulated as a prescription drug.

The amended version of the bill (S-455) also makes possession of butyl nitrite or isobutyl nitrite a civil violation and adds an emergency preamble and an emergency clause which becomes effective 30 days after approval.