

MAINE STATE LEGISLATURE

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**STATE OF MAINE
115TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
HUMAN RESOURCES**

AUGUST 1991

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE
FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION
JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1991**

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 volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H - 584 or S - 222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX	<i>Chapter # of enacted Public Law</i>
P&S XXX	<i>Chapter # of enacted Private & Special Law</i>
RESOLVE XXX	<i>Chapter # of enacted Resolve</i>
CON RES XXX	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
EMERGENCY	<i>Enacted law takes effect sooner than 90 days</i>
CARRIED OVER	<i>Bill carried over to 2nd Session</i>
FAILED EMERGENCY ENACTMENT	<i>Bill failed to get 2/3 vote</i>
ONTP	<i>Ought Not to Pass report accepted</i>
LVWD	<i>Leave to Withdraw report accepted</i>
INDEF PP	<i>Bill Indefinitely Postponed</i>
DIED BETWEEN BODIES	<i>House & Senate disagree; bill died</i>
VETO SUSTAINED	<i>Legislature failed to override Governor's Veto</i>
UNSIGNED	<i>Not signed by Governor within 10 days</i>
DIED ON ADJOURNMENT	<i>Action incomplete when 1st session ended</i>

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

the Maine Commission of Mental Health. The commission's oversight duties permitted the boards of the mental health institutes to be disbanded. However, it was not the intent to remove the boards of visitors of other institutions. This bill reestablishes the boards of visitors, except for the Augusta Mental Health Institute and the Bangor Mental Health Institute.

Committee Amendment "A" (S-38) makes technical changes to clarify the intent of the bill and adds a fiscal note.

LD 741 An Act to Amend the Laws Governing the Bath Children's Home PUBLIC 567

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
CAHILL P GILL	OTP-AM	S-37

SUMMARY

This bill makes the director of the Bath Children's Home an appointed position that serves at the pleasure of the Commissioner of Mental Health and Mental Retardation, making it consistent with the chief administrative officer positions of the Department's other residential facilities.

Committee Amendment "A" (S-37) adds a "grandfathering" provision, allowing the current director of the Bath Children's Home to remain a classified employee. The amendment adds a fiscal note to the bill.

LD 743 An Act Regarding Continuing Education for Administrators of Boarding Homes LV/WD

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
CARROLL D MANNING	LV/WD	

SUMMARY

This bill requires administrators of boarding homes to obtain 12 hours of relevant training each year. It makes the training a condition of licensure as of January 1, 1992 for boarding homes with more than 6 residents and as of January 1, 1994 for all boarding homes. The Department of Human Services is required to reimburse a percentage of the training costs based upon the percentage of state-supported residents in each home.

LD 744 An Act to Enable Retail Stores to Bottle and Sell Water on the Premises PUBLIC 113

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
SMALL	OTP-AM	H-119

SUMMARY

Public water systems are regulated by the Department of Human Services, and bottling regulations require space and equipment that make bottling and selling water extremely difficult for small retail stores. This bill excludes retail stores from the definition of "public water system" if the retail stores purify and bottle water from an existing "public water system," such as a municipal water supply, and sell it on the premises. Such stores are thereby placed outside the jurisdiction of "public water system" regulations.

Committee Amendment "A" (H-119) replaces the original bill. Rather than exempting retail stores from water regulations altogether, it limits regulation to an annual inspection of the purifying equipment by the Department of Agriculture and regular water samples to be submitted to the Department of Human Services. The amendment also adds a fiscal note to the bill.

LD 756 An Act to Enhance the Protection of Children Who Have Been PUBLIC 194
Removed from Their Homes

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
DORE	OTP-AM	H-202
CLARK M		
SIMONDS		

SUMMARY

This bill requires the Department of Human Services to develop an alternate practical permanent plan in addition to a rehabilitation and reunification plan that provides alternatives to rehabilitation and reunification for children 5 years of age or younger who are taken into the Department's custody. This allows the department to be prepared to act more expeditiously if reunification efforts fail. The bill also requires that, within 10 days of being taken into custody, children must have physical examinations and, if considered appropriate by the examining physician or nurse practitioner, must have psychological assessments within 30 days.

Committee Amendment "A" (H-202) removes the bill's requirement that alternate practical permanent plans be developed and amends the section in the bill that would have required that children taken into custody receive medical and psychological exams within certain time frames. The amendment requires only that appointments for those services be made within the time frames.

LD 757 An Act to Prevent Discrimination against Podiatrists ONTP-MIN REP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
RYDELL	OTP-AM MAJ	
PARADIS P	ONTP MIN	
GAUVREAU		
RICHARDS		

SUMMARY

This bill prohibits hospitals and other health care institutions licensed in the State from denying employment or privileges to podiatrists simply because they are podiatrists.

Committee Amendment A (H-192) was reported by a majority of the committee. It clarifies that the bill does not prohibit a hospital from refusing an application for privileges based upon a person's ability or credentials or from closing its medical staff for the performance of any particular service. It also clarifies that the bill does not require a hospital to offer any new service.