

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
115TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
HUMAN RESOURCES

MAY 1992

MEMBERS:

**Sen. Gerard P. Conley, Jr.
Sen. Stephen M. Bost
Sen. Barbara A. Gill*

**Rep. Peter J. Manning
Rep. Margaret Pruitt Clark
Rep. Donald H. Gean
Rep. Tracy R. Goodridge
Rep. Stephen P. Simonds
Rep. Sharon A. Treat
Rep. Jason D. Wentworth
Rep. Peggy A. Pendleton
Rep. Susan D. Duplessis
Rep. Joan M. Pendexter*

**Denotes Chair*

Staff:

Paul J. Saucier, Legislative Analyst

*Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207)287-1670*

IARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST
ULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
DON CLARK
YAN M. DYTTER
BRO FLATEBO
EBORAH C. FRIEDMAN
MICHAEL D. HIGGINS
KANE ORBETON



KAREN L. HRUBY
JILL IPPOLITI
JOHN B. KNOX
PATRICK NORTON
MARGARET J. REINSCH
PAUL J. SAUCIER
HAVEN WHITESIDE
MILA M. DWELLEY, RES. ASST.
ROY W. LENARDSON, RES. ASST.
BRET A. PRESTON, RES. ASST.

STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-1670

**ONE HUNDRED AND FIFTEENTH LEGISLATURE
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1992

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 far right of the title. Various types of final action are abbreviated as follows:

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

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, especially Laurette Knox who coordinated preparation of the overall document.

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

LD 2342 An Act to Ensure the Long-term Stability of Sheltered Group Homes in Maine

P & S 115
EMERGENCY

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MARTIN J DUTREMBLE D DUTREMBLE L POULIOT	OTP-AM	H-1084 S-769 BRANNIGAN

SUMMARY

This bill requires the State to reimburse St. Andre Home, Inc. for rental expenses, despite State accounting principles adopted in 1990 that disallow "less than arms length rental agreements like the one that St. Andre Home is a party to. In so doing, the relationship that St. Andre Home had previously with the State is restored.

Committee Amendment "A" (H-1084) adds an appropriation section and a fiscal note to the bill.

Senate Amendment "A" (S-769) strikes the appropriation section from the committee amendment and replaces the fiscal note.

LD 2386 An Act to Rescind Changes in the Driver Education Evaluation Program

INDEF PP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
CONLEY GILL BERUBE TARDY	OTP-AM MAJ OTP-AM MIN	

SUMMARY

This bill eliminates the safety training operating-under-the-influence programs established by Public Law 1991, chapter 622 and restores the Driver Education and Evaluation Programs known as DEEP.

LD 2387 An Act to Encourage Expansion of Certain Residency Programs Related to Primary Care Physicians (Reported Pursuant to Public Law 1991, chapter 545)

PUBLIC 830

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
	OTP-AM	H-1109 S-669 CONLEY

SUMMARY

This bill excludes certain Medicare payments for primary care physician training from the ordinary calculations made by the Maine Health Care Finance Commission to determine hospital revenue limits. This special regulatory treatment applies only to residency spaces explicitly approved by the commission with the advice of the Finance Authority of Maine's Advisory Committee on Medical Education. The bill also repeals recently enacted provisions for administering a primary residency training program for which funds are not available.

Committee Amendment "A" (H-1109) adds a fiscal note to the bill.

Senate Amendment "A" (S-669) proposes language identical to that proposed in section 10 of L.D. 2408, "An Act to Implement the Recommendations of the Advisory Committee on Medical Education," as amended, in order to make the 2 bills consistent. (see Education Committee Summaries for discussion of LD 2408) It makes other technical changes to the original bill to make it consistent with L.D. 2408, as amended. The amendment also replaces the fiscal note with a new one that reflects the combined fiscal impact of both bills.

LD 2420 An Act to Legalize Marijuana for Medicinal Purposes

UNSIGNED

SPONSOR(S)

POWERS
LARRIVEE
CONLEY
ALIBERTI

COMMITTEE REPORT

OTP-AM

AMENDMENTS ADOPTED

H-1281
H-1312 MANNING

SUMMARY

This bill reestablishes the Marijuana Therapeutic Research Program administered by the Commissioner of Human Services, which was automatically repealed through a sunset clause on December 31, 1987. Participation is limited to cancer chemotherapy and glaucoma patients who are not responding to conventional treatment or who are suffering severe side effects.

Committee Amendment "A" (H-1281) removes the role of the Board of Registration in Medicine and establishes the Participation Review Board to review physicians for participation in the program. The amendment reduces the participation fee from \$50 to \$25. These changes make the proposed Marijuana Therapeutic Research Program laws identical to those enacted in 1983, except for the composition of the board and nonsubstantive grammatical differences. The amendment also authorizes the possession of small amounts of marijuana for personal use by persons who suffer side effects of chemotherapy or radiation therapy or who have been diagnosed by a physician as having glaucoma. Juvenile patients must have parental approval. The amendment also authorizes other persons to possess small amounts of marijuana for the sole purpose of providing it to such patients without charge. The amendment also provides an affirmative defense against criminal marijuana charges for persons who suffer side effects of chemotherapy or radiation therapy or who have been diagnosed by a physician as having glaucoma and who possess marijuana, possess marijuana paraphernalia or grow marijuana for their own use. An affirmative defense against charges of furnishing marijuana, possessing paraphernalia and growing marijuana is provided to those who obtain or grow marijuana or obtain paraphernalia for the sole purpose of providing it without charge to such a patient. The amendment also prohibits forfeiture to the State of any property that would otherwise be subject to forfeiture if not for the affirmative defenses available and the authorization of possession of a usable amount of marijuana.

House Amendment "A" (H-1312) removes provisions in Committee Amendment "A" that allow persons other than the patient to grow or possess marijuana. The amendment also defines side effects of chemotherapy or radiation therapy as "significant nausea or vomiting." The amendment also repeals the provisions related to glaucoma patients on October 1, 1993.