

MAINE STATE LEGISLATURE

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STATE OF MAINE
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
HUMAN RESOURCES

JULY 1993

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

JULY 1993

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.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. 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:

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

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

4693NRG

**LD 576 Resolve, to Maximize the Availability of Federal Financing
of Services for Families and Children**

**RESOLVE 40
EMERGENCY**

SPONSOR(S)
TREAT
PARADIS J
DAGGETT

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-188

SUMMARY

This resolve establishes the Federal Funds Advisory Committee, with staff to be provided by the Legislative Council, to review and make recommendations on how Maine can maximize federal funding for families with children.

Amendment H-188 changes the name of the Federal Funds Advisory Committee to the Federal Funds Task Force. The amendment also changes the membership of the task force to include only legislative members. The amendment also clarifies that the task force dissolves once its report has been submitted. The amendment also requires the Legislative Council to absorb the costs of the task force within existing resources, and adds a fiscal note to the resolve.

**LD 595 An Act Regarding Licensing Regulations
for Boarding Care Facilities**

ONTP

SPONSOR(S)
CONLEY

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

This bill amends the licensing provisions for boarding care facilities to include a new category of community residences for persons with mental retardation. It requires the Department of Human Services to adopt rules developed by the Bureau of Mental Retardation that reflect accepted standards of practice in the provision of services to individuals with mental retardation. It requires the Department of Human Services to adopt rules written by the Bureau of Mental Retardation to govern licensure and reimbursement for these new facilities. The bill allows local fire officials to provide certification of compliance with fire safety codes, an activity currently served by only the State Fire Marshal.

The Joint Standing Committee on Human Resources has asked the Bureau of Mental Retardation and the Division of Residential Care to meet with the interested parties and submit findings to the Committee by January 15, 1994.

**LD 616 An Act Regarding the Future of the State's Mental
Retardation Services System**

P & S 41

SPONSOR(S)
CARROLL
CLEVELAND

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-436

SUMMARY

Currently, Pineland Center provides residential and day services to approximately 200 people with mental retardation. This bill reestablishes Pineland Center as a facility for education, research and residential care. Pineland Center will become affiliated with universities, medical schools and research centers and will house full-time students as well as people with mental retardation or other mental

impairment disabilities. People from a broad range of disciplines will go to Pineland Center to receive specialized training in mental retardation and other mental impairment disabilities. The bill also changes the composition of the Pineland Board of Visitors to reflect its expanded role. The bill also requires that, as staff positions are eliminated at Pineland Center, a limited number of new positions is created in the community, and the Department of Mental Health and Mental Retardation is required to assist displaced Pineland Center workers in making the transition to community-based employment.

Amendment H-436 replaces the original bill. It requires the Department of Mental Health and Mental Retardation to plan for the future of Pineland Center and the mental retardation system and to assess the feasibility of developing 3 state-operated, community-based facilities as part of that plan. The amendment also requires the Department of Mental Health and Mental Retardation to work with the Department of Labor to provide assistance to displaced Pineland Center workers, and to work with the Department of Economic and Community Development and the State Planning Office in seeking economic redevelopment assistance for areas affected by the reduction in capacity of Pineland Center. The amendment also adds a fiscal note to the bill.

LD 620 An Act to Clarify What Constitutes an Emergency Regarding PUBLIC 267
Disconnection of Utility Service for the Emergency
Assistance Program

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
CARPENTER	OTP	

SUMMARY

This bill clarifies that utility customers who seek assistance under the Maine Revised Statutes, Title 22, section 3761 must show that they are unable to keep the terms of a reasonable payment arrangement, as evidenced by receipt of a disconnection notice, in order to demonstrate that there is an emergency as required in that section. This change is intended to end the Department of Human Services' practice of refusing assistance during the winter period until the utility has applied to the Public Utilities Commission for permission to disconnect the family's electric service. This practice has resulted in customers refusing any payment arrangement to trigger a request to disconnect, thus increasing the unpaid balance and delaying the receipt of assistance.

LD 626 An Act to Amend the Long-term Care Ombudsman Program PUBLIC 284

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BUSTIN	OTP-AM	S-179

SUMMARY

This bill clarifies the ombudsman's authority to have full and continuous access to adult foster care, boarding care and nursing facilities in order to carry out the ombudsman's statutory duties. It also makes clear that the ombudsman has the right to provide information and observe during state surveys or reviews of long-term care facilities. The bill removes the limit on the number of volunteers the ombudsman may certify to assist in the ombudsman's work. Finally, the bill gives the ombudsman expressed authority to copy and inspect the records of long-term care residents who are not competent and have no legal representative available to consent to such inspection and copying.

Amendment S-179 clarifies that volunteers designated by the long-term care ombudsman may not make copies of confidential client information. The amendment also adds a fiscal note to the bill.