

# 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&amp;S XXX</i>	<i>Chapter # of enacted Private &amp; 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 &amp; 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

2. The amendment eliminates the Comprehensive Health Planner II position in the Department of Mental Health and Mental Retardation and deappropriates All Other funds in the Office of Substance Abuse in an amount that reflects the total deappropriation for the Office of Substance Abuse recommended in the Governor's budget for fiscal year 1994-95. The Office of Substance Abuse is directed to recommend reallocation of the All Other cut if it finds administrative savings as substance abuse services are consolidated in the office.
3. Language is added to the bill to clarify that the Office of Substance Abuse continues current education efforts when the Department of Education program is transferred to the office. Also, transitional language is added to clarify that the current incumbents retain their positions, along with their accrued rights, benefits and privileges.

Amendment H-631 clarifies how appointments are made to the Substance Abuse Services Commission and corrects an internal cross-reference in the bill.

Amendment S-316 further specifies the rights, benefits and privileges that are retained by employees transferred under the bill.

Amendment S-324 requires that the Office of Substance Abuse allocate a percentage of funds for prevention programs in FY 1994 and 1995 that is at least the same as the percentage allocated in FY 93. It also requires the Office of Substance Abuse and the Department of Education to enter into an agreement regarding continuation of school-based prevention programs.

This bill did not pass, but all of its provisions, as amended by H-563, H-631, S-316 and S-324 were enacted as part of the biennial budget bill. See P.L. 1993, c. 410, Part LL.

**LD 1489      Resolve, to Establish the Labor and Welfare Transition Team      ONTP**  
**to Facilitate the Inclusion within the Department of**  
**Labor of Certain Welfare Functions of the Department of**  
**Human Services**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
AIKMAN	ONTP            MAJ	
	OTP-AM        MIN	

**SUMMARY**

This bill establishes the Labor and Welfare Transition Team and directs the team to develop a plan to move welfare programs currently located in the Department of Human Services to the Department of Labor.

See also LD 1508.

**LD 1503      An Act to Encourage People in the State to Plan for      CARRIED OVER**  
**Long-term Care**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
DUTREMBLE D		
BERUBE		
PINEAU		

**SUMMARY**

This bill provides that, to the extent permitted by federal law, the amount of long-term care insurance

coverage enjoyed by an applicant is sheltered from consideration in determining Medicaid eligibility for nursing facilities.

This bill has been carried over to the Second Regular Session.

**LD 1508      Resolve, to Abolish the Department of Human Services and the Department of Mental Health and Retardation and Create a New Department of Health and a New Department of Children and Families**

**RESOLVE 36  
EMERGENCY**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>		<b>AMENDMENTS ADOPTED</b>	
REED G	OTP-AM	MAJ	H-516	
	OTP-AM	MIN	H-600	TREAT
			S-314	PARADIS J

**SUMMARY**

This bill requires that the Department of Human Services, the Department of Mental Health and Mental Retardation and the Executive Department, Office of Substance Abuse be combined to form the Department of Health and Family Services. The bill creates the Health and Social Services Transition Team to develop a plan to implement this restructuring.

Amendment H-516 is the majority report of the Joint Standing Committee on Human Resources. It replaces the original resolve. Like the original resolve, it creates a transition team but requires that, as of July 1, 1994, the Department of Human Services and the Department of Mental Health and Mental Retardation be reorganized into a new Department of Health and a new Department of Children and Families, as recommended by the Special Commission on Governmental Restructuring. The issue of whether to move juvenile correctional services into the new Department of Children and Families would be studied by a task force that would include all interested parties. The amendment also adds a fiscal note to the bill.

Amendment H-600 further amends H-516 to make it consistent with another restructuring bill, LD 1498.

Amendment S-314 authorizes the Legislature's presiding officers, rather than Committee members, to make legislative appointments to the Transition Team.

**LD 1510      An Act to Promote Financial Responsibility and Family Planning**

**ONTP**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>		<b>AMENDMENTS ADOPTED</b>	
MACBRIDE	ONTP	MAJ		
KIEFFER	OTP-AM	MIN		

**SUMMARY**

This bill directs the Department of Human Services to pursue a federal waiver to provide no additional benefit to most recipients of Aid to Families with Dependent Children who have additional children while receiving benefits. An additional child would, however, be eligible for Medicaid benefits, and recipients would be eligible for "good cause" exceptions.