

MAINE STATE LEGISLATURE

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STATE OF MAINE
117TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
HUMAN RESOURCES

AUGUST 1995

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Staff:

Jane Orbeton, Legislative Analyst

*Office of Policy and Legal Analysis
Room 101/107/135, 13 State House Station
Augusta, ME 04333
(207)287-1670*

**Denotes Chair*



**Maine State Legislature
OFFICE OF POLICY AND LEGAL ANALYSIS**

State House Station 13, Augusta, Maine 04333
Telephone (207) 287-1670
Telecopier (207) 287-1275

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

**SUMMARY OF LEGISLATION BEFORE
THE JOINT STANDING COMMITTEES**

AUGUST 1995

This document is a compilation of the bill summaries prepared by this office for the Joint Standing 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 publication, History and Final Disposition of Legislative Documents, is helpful in determining to which committee any particular bill was referred.

In this document, 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, together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various categories of final action are abbreviated as follows:

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

These summaries were prepared by the analyst or analysts assigned to the committee. If more detailed information is needed on a bill, contact the committee analyst.

5581LHS

LD 204 **An Act to Legalize Cannabis for Medical Treatment of Patients With HIV/AIDS** ONTP

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
RAND ONTP

SUMMARY

The bill creates an affirmative defense to prosecution for the civil violation for possession of 1 1/4 ounces or less of marijuana if the person possesses the marijuana for the person's own use and the person was diagnosed before the alleged violation as having Acquired Immune Deficiency Syndrome.

See also LD 784 and LD 929.

LD 209 **An Act to Reduce Costs in the Department of Human Services by Reducing Functions to the Federally Mandated Level** ONTP

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
WHITCOMB ONTP

SUMMARY

This bill requires the Department of Human Services to reduce its functions to the level of services that are federally mandated. It requires a report to the Joint Standing Committee on Human Resources by October 5, 1995 on reductions that will occur by December 1, 1995. It requires a report to the Joint Standing Committee on Human Resources by March 1, 1996, on reductions that will occur by July 1, 1996. Both reports must contain the legislation necessary to accomplish the reductions in functions and must identify all expenditures that will be required and cost savings to the State as a result of the reductions.

LD 218 **An Act to Establish Standards for Medical Eligibility Determination for Applicants to Nursing Homes** ONTP

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
PERKINS ONTP

SUMMARY

This bill clarifies the standard that must be used in determining Medicaid medical eligibility for nursing facility care and specifies that individuals are entitled to nursing facility care unless their needs can be fully met by programs and services that exist in the community.

See also LD 144 and LD 1121.

LD 228 **An Act to Restrict the Duration and Amount of Welfare Benefits** ONTP

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
JOY ONTP

SUMMARY

In section A-1, this bill requires the Department of Human Services to apply to the United States Department of Health and Human Services for a waiver to establish the Time Limitation Program, under

which the maximum time period for receiving cash assistance benefits under the Aid to Families with Dependent Children program is 24 months. Families may receive Medicaid benefits for no more than 36 months following the expiration of eligibility for cash assistance benefits. After receipt of benefits for the maximum time period, a family is ineligible for similar benefits for a period of 5 years.

In section B-1, this bill alters the education, training and employment participation requirements for the Aid to Families with Dependent Children program. It lowers from 3 years to one year the age of children that exempts a parent from participation. It lowers from 25 to 24 the age for parents who may choose between employment, training and a new Learnfare Program. It repeals choice of education, training or employment options applicable only to parents ages 18, 19 and 20. It limits provision of services under the program to 24 months in any 36-month period. Compliance with the Learnfare Program is required to qualify for benefits.

In section B-2, this bill requires the Department of Human Services to apply to the United States Department of Health and Human Services for a waiver to establish the Learnfare Program. All children 5 years of age and older who have not completed high school or its equivalent and all heads of household under 24 years of age who have not completed high school or its equivalent must attend school regularly to be eligible to receive cash assistance benefits under the Aid to Families with Dependent Children program. Heads of household under age 24 who have full-time jobs are exempt from participation. The department must provide case management services. Services under the Learnfare Program may not be provided for more than 24 months in any 36-month period.

In section C-1, the bill directs the Department of Human Services to apply to the United States Department of Health and Human Services for a federal waiver for the Family Responsibility Program to provide no additional cash assistance benefits to recipients who conceive or have additional children while receiving benefits. The bill does not cap the cash assistance benefit for a child conceived prior to the date on which eligibility was determined.

See also LD 1496.

**LD 233 An Act to Ensure Appropriate Resource and Referral Services
for Families Needing Child Care**

**DIED BETWEEN
BODIES**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
PARADIS	OTP-AM MAJ	
SHIAH	ONTP MIN	

SUMMARY

This bill extends the funding for the continuation of the resource development centers under the jurisdiction of the Department of Human Services from June 30, 1995 to June 30, 1996.

COMMITTEE AMENDMENT "A" (S-27) would have added a fiscal note.

This bill failed emergency enactment in the House and died between bodies.

**LD 245 An Act to Ensure Children's Protection against Rabies by
Requiring Proof of Rabies Vaccination of Pets at Day Care
Facilities and Home Babysitting Services**

PUBLIC 74

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
PLOWMAN	OTP-AM	H-96