

# 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

**MEMBERS:**

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Sen. John W. Benoit  
Sen. Rochelle M. Pingree*

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**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:

<b>CARRIED OVER</b>	<i>Bill carried over to Second Session</i>
<b>CON RES XXX</b>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<b>CONF CMTE UNABLE TO AGREE</b>	<i>Committee of Conference unable to agree; bill died</i>
<b>DIED BETWEEN BODIES</b>	<i>House &amp; Senate disagree; bill died</i>
<b>DIED ON ADJOURNMENT</b>	<i>Action incomplete when session ended; bill died</i>
<b>EMERGENCY</b>	<i>Enacted law takes effect sooner than 90 days</i>
<b>FAILED EMERGENCY ENACTMENT</b>	<i>Emergency bill failed to get 2/3 vote</i>
<b>FAILED ENACTMENT</b>	<i>Bill failed to get majority vote</i>
<b>FAILED MANDATE ENACTMENT</b>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<b>INDEF PP</b>	<i>Bill Indefinitely Postponed</i>
<b>ONTP</b>	<i>Ought Not to Pass report accepted</i>
<b>P&amp;S XXX</b>	<i>Chapter # of enacted Private &amp; Special Law</i>
<b>PUBLIC XXX</b>	<i>Chapter # of enacted Public Law</i>
<b>RESOLVE XXX</b>	<i>Chapter # of enacted Resolve</i>
<b>UNSIGNED</b>	<i>Not signed by Governor within 10 days</i>
<b>VETO SUSTAINED</b>	<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 1258 An Act to Amend Laws Regarding False Claims for Payment or Approval by the Department of Human Services**

PUBLIC 191

**SPONSOR(S)**  
PENDEXTER

**COMMITTEE REPORT**  
OTP

**AMENDMENTS ADOPTED**  
S-147 PENDEXTER

**SUMMARY**

This bill amends the laws regarding false claims for payment or approval by the Department of Human Services to clarify that violators of these laws pay civil penalties, not damages. This bill also enables the State to seek the costs of investigation and attorney's fees from violators of these laws.

SENATE AMENDMENT "A" (S-147) adds a fiscal note to the bill.

**LD 1288 An Act to Amend the Certificate of Need Laws to Include Rural Health Clinics**

ONTP

**SPONSOR(S)**  
BAILEY

**COMMITTEE REPORT**  
ONTP

**AMENDMENTS ADOPTED**

**SUMMARY**

This bill modifies the definition of "health care facility" under the Maine Certificate of Need Act of 1978 to include rural health clinics, a term that is also defined in the bill to include certain clinics in rural areas designated as shortage areas. The bill also clarifies that health care facilities under the certificate of need laws are those that must obtain a certificate of need in accordance with state laws and rules.

**LD 1290 Resolve, to Increase Payments to Foster Parents**

ONTP

**SPONSOR(S)**  
DORE  
PINGREE

**COMMITTEE REPORT**  
ONTP

**AMENDMENTS ADOPTED**

**SUMMARY**

This resolve directs the Department of Human Services to increase its foster child board payments by 17.5% to represent a 3.5% cost of living increase for each of the last 5 years.

**LD 1330 An Act to Protect Victims of Sexual Assault**

ONTP

**SPONSOR(S)**  
PENDLETON  
BENOIT

**COMMITTEE REPORT**  
ONTP

**AMENDMENTS ADOPTED**

**SUMMARY**

This bill amends the laws regarding HIV testing. If a victim of a crime or an alleged crime involving a sexual act, as defined in the Maine Revised Statutes, Title 17-A, section 251, requests an HIV test, a health care facility that performs HIV tests must offer the required pretest counseling and perform the test. This bill requires an alleged or convicted perpetrator of crimes involving a sexual act to undergo HIV testing if requested by the victim and if there is good cause to believe that the victim may have been exposed to the blood or body fluids of the perpetrator.

See LD 799.