

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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**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:

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

Sec. B-1 establishes the Commission to Study Poverty Among Working Parents, a 21 member commission charged with studying poverty, public assistance and economic development and making recommendations to the 118th Legislature.

Sec. C-1 to 4 enacts provisions required by federal law to make health benefits available to children under their parents' policies from insurers, Blue Cross Blue Shield and health maintenance organizations.

Sec. C-5 provides funding of \$500 for the expenses of the Commission to Study Poverty Among Working Parents.

SENATE AMENDMENT "B" to COMMITTEE AMENDMENT "A" (S-348) establishes the Commission on the Economic Impact of Time-limited Aid to Families with Dependent Children, a 9 member commission to study issues related to time limits on AFDC. The commission is required to report to the Human Resources Committee by February 1, 1996 and may submit legislation to the Second Regular Session of the 117th Legislature.

HOUSE AMENDMENT "D" to COMMITTEE AMENDMENT "A" (H-650) imposes a home visit requirement. In department Regions II, IV and V requires home visits for all new AFDC families to complete the family contract, reinforce responsibilities and obtain and verify information.

SENATE AMENDMENT "C" to COMMITTEE AMENDMENT "A" (S-385) prohibits the Commission to Study Poverty Among Working Parents from meeting during legislative session and from receiving staff assistance from the Legislative Council during session.

LD 1504

An Act to Clarify Terms and Increase Effectiveness of the Lead Poisoning Control Act

PUBLIC 453

SPONSOR(S)	COMMITTEE REPORT		AMENDMENTS ADOPTED
MITCHELL EH	OTP-AM	MAJ	H-556
	ONTP	MIN	

SUMMARY

This bill amends the Lead Poisoning Control Act.

1. It clarifies the definitions of certain terms in the Act.
2. It expands the focus of the Act from protecting children to protecting the public as a whole.
3. It directs the Department of Human Services to maintain a central registry of information from health-care providers, facilities and programs on lead poisoning.
4. It limits the award of damages for all losses involving lead poisoning to \$250,000.
5. It establishes lead warning requirements on the sale of paint and related items.
6. It establishes essential maintenance practices for all owners of buildings built before 1978.
7. It establishes the Maine State Advisory Council on Lead Poisoning Prevention to implement the Lead Poison Control Act.
8. It directs the Bureau of Insurance to conduct a study on medical policies and lead poisoning.
9. It directs the Real Estate Commission to provide a brochure on information regarding lead poisoning.

COMMITTEE AMENDMENT "A" (H-556) replaces the bill. It clarifies certain definitions in the Lead Poisoning Control Act. It expands the focus of the Act from protecting children to protecting the public as a whole. It limits the award of damages in nondeliberate cases for all losses except medical care and treatment involving lead poisoning to \$750,000. This provision is repealed April 15, 1996. It establishes guidelines for essential maintenance practices for all owners of dwellings rented for residential purposes, residential child-care facilities and preschool facilities constructed prior to 1978.

**LD 1507 An Act to Prevent the Use of Correctional Facilities for
the Detention of the Mentally Ill**

PUBLIC 431

SPONSOR(S)
FITZPATRICK

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-554

SUMMARY

This bill enacts a number of provisions to promote appropriate treatment for seriously mentally ill individuals who come in contact with the criminal justice system, specifically with the correctional system.

1. It prohibits the detention of mentally ill individuals in correctional facilities unless they have been formally charged with a crime.
2. It requires hospitalization for treatment for seriously mentally ill individuals who are incarcerated and establishes procedures for hospitalization and release.
3. It requires all community correctional facilities to establish committees to address the needs of mentally ill individuals in their facilities.
4. It requires the Department of Mental Health and Mental Retardation, in cooperation with other agencies, to develop a strategy for diverting seriously mentally ill individuals from the correctional system.
5. It requires community providers of mental health services, as a condition of receiving state grants, to develop cooperative plans with local correctional facilities and law enforcement authorities to serve the needs of the mentally ill individuals they serve.

COMMITTEE AMENDMENT "A" (H-554) replaces the bill. It clarifies language in the bill. The amendment deletes section 2 of the original bill, which would have required the creation of mental health committees in community correctional facilities. It requires the following additional entities to participate in development of a comprehensive state strategy to prevent incarceration of the seriously mentally ill: providers of inpatient mental health services, advocates for consumers of mental health services, sheriffs' departments, local law enforcement agencies, the Office of Substance Abuse and the Department of Public Safety. It declares ineligible for state funding for mental health services those providers of mental health services that do not participate in the development of plans to serve the population with serious mental illness.

LD 1508 An Act Concerning Residential Treatment Facilities

PUBLIC 301

SPONSOR(S)
FITZPATRICK

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-382