

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
117TH LEGISLATURE**

**SECOND REGULAR SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
HUMAN RESOURCES<sup>1</sup>**

**JUNE 1996**

**MEMBERS:**

*Sen. Joan M. Pendexter, Chair*

*Sen. John W. Benoit*

*Sen. Rochelle M. Pingree*

*Rep. Michael J. Fitzpatrick, Chair*

*Rep. Birger T. Johnson*

*Rep. David Etnier*

*Rep. J. Elizabeth Mitchell*

*Rep. Kyle W. Jones*

*Rep. Glenys P. Lovett*

*Rep. Jeffery G. Joyner*

*Rep. Jean Ginn Marvin*

*Rep. Robert J. Winglass*

*Rep. Henry L. Joy*

**Staff:**

*Jane Orbeton, Legislative Analyst*

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<sup>1</sup> Amendments to Joint Rule 13 adopted this session changed the committee name to the Joint Standing Committee on Health and Human Services.



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**ONE HUNDRED SEVENTEENTH LEGISLATURE  
SECOND REGULAR SESSION**

***Summary Of Legislation Before The Joint Standing Committees  
June 1996***

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills.

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are 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 &amp; 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&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PUBLIC XXX</i> .....	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i> .....	<i>Chapter # of finally passed 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>

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is July 4, 1996.

**LD 1743 An Act to Establish Consistency between Federal and State Drinking Water Laws**

PUBLIC 622

Sponsor(s)  
ETNIER

Committee Report  
OTP-AM

Amendments Adopted  
H-785

LD 1743 proposed to make the state drinking water laws consistent with the federal Safe Drinking Water Act as required to maintain primacy. It would have made changes to the public notification section of the Maine Revised Statutes, Title 22, section 2615 to ensure the drinking water program's ability to enforce the current federal public notification rule, as adopted into the program's rules by reference. It would have changed the emergency powers of the drinking water program to initiate action under the Maine Revised Statutes, Title 22, section 2613. The drinking water program currently has adopted by rule procedures for the issuance of boil-water orders under section 2614. The bill would have established procedures for the issuance of boil-water orders.

**Committee Amendment "A" (H-785)** is the Majority Report. It proposed to replace sections 4 to 6 of the bill. It would have made the boil-water requirements of state law consistent with federal requirements. It would have clarified the requirements for form and timing of notification of a boil-water order.

***Enacted law summary***

Public Law 1995, chapter 622 comprises the provisions of the bill and the Committee Amendment. It makes grammatical corrections in the Safe Drinking Water Act. It removes the provision that exemptions for public drinking water systems may not extend past 7 years while retaining the requirement that an expeditious compliance schedule be established. It allows multi-year renewable exemptions. It defines "boil-water order" and provides for boil-water orders in a manner that is consistent with federal law. It specifies the requirements for notification to the public and requires the Commissioner of Human Services to adopt rules regarding public notification of boil-water orders.

**LD 1764 An Act to Ensure the Proper and Humane Care of Persons Requiring Mental Health Services**

PUBLIC 697  
EMERGENCY

Sponsor(s)  
MITCHELL JE

Committee Report  
OTP-AM

Amendments Adopted  
H-769  
S-582

LD 1764 proposed to require that any money identified as savings due to the closure of a state mental health facility or a diminution of services at any such facility be used to provide the services in other appropriate settings and programs.

**Committee Amendment "A" (H-769)** is the Majority Report. It proposed to extend the bill to cover administrative savings within the Department of Mental Health and Mental Retardation, so that those savings would have been directed to pay for mental health services. The amendment would have added a fiscal note.

**Senate Amendment "A" (S-582)** proposed to specify that the savings identified in the Maine Revised Statutes, Title 34-B, section 3009 (the provision of law that would have been enacted in the bill) means net General Fund savings generated through legislative or departmental actions less any cost or liability from implementing those actions.

***Enacted law summary***

Public Law 1995, chapter 697 comprises the provisions of the bill, Committee Amendment “A” and Senate Amendment “A”. The law is intended to ensure that persons in need of mental health services continue to have access to those services by requiring that any money identified as savings due to the closure of a state mental health facility or a diminution of services at any such facility and any money from administrative savings at the Department of Mental Health, Mental Retardation and Substance Abuse Services be used to provide the services in other appropriate settings and programs. The law defines these savings as net General Fund savings generated through legislative or departmental actions less any cost or liability from implementing those actions.

Public Law 1995, chapter 697 takes effect April 11, 1996.

**LD 1772      An Act to Create a Uniform Health Information System      ONTP**

Sponsor(s)

Committee Report  
ONTP

Amendments Adopted

LD 1772 is one of the bills reported to the Legislature by the Health Care Reform Commission. It contains some provisions that are also contained in LD 1788. See also LD 1788. The bill proposed to do the following:

1. Part A would have established the Maine Health Data Organization, an independent state agency to oversee and coordinate health collection activities and collect, edit and store statewide health data resources. Part A would have granted the Maine Health Data Organization authority to collect health data from all health care facilities and practitioners providing health services, including pharmacists and health product vendors. The Maine Health Data Organization would be required to collect utilization data, coordinate population surveys with the needs of both public and private sectors and oversee the collection of workforce data through surveys conducted by licensing boards. Part A also proposed to assess carriers and insurance administrators as a mechanism for funding the Maine Health Data Organization.
2. Part B would have required the Commissioner of Professional and Financial Regulation to cooperate with the Maine Health Data Organization's data collection activities and to require the cooperation of the health care practitioner licensing boards within and affiliated with the Department of Professional and Financial Regulation. Part B also would have required the Commissioner of Human Services to cooperate with the Maine Health Data Organization's data collection activities.
3. Part C would have allowed the board members for the Maine Health Data Organization to be reimbursed for their expenses.
4. Part D would have amended the licensing statutes for all health care practitioners to provide that repeated and intentional failure to comply with the data collection requirements is grounds for terminating a health care practitioner's license.

See LD 1788, a related bill, which was enacted as Public Law 1995, chapter 653 and which establishes the Maine Health Data Organization as of December 31, 1996 or at such earlier date as the entity becomes operational.