

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
118TH LEGISLATURE

SECOND REGULAR SESSION  
AND  
SECOND SPECIAL SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
HEALTH AND HUMAN SERVICES

MAY 1998

*MEMBERS:*

*Sen. Judy Paradis, Chair*  
*Sen. Susan W. Longley*  
*Sen. Betty Lou Mitchell*

*Rep. J. Elizabeth Mitchell, Chair*  
*Rep. Joseph E. Brooks*  
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**ONE HUNDRED EIGHTEENTH LEGISLATURE**  
**SECOND REGULAR AND SECOND SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees**  
**May 1998**

We are pleased to provide this summary of bills that were considered by the Joint Standing Committees of the Maine Legislature. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. 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 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. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet ([www.state.me.us/legis/opla](http://www.state.me.us/legis/opla)).

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:

- CON RES XXX*..... Chapter # of Constitutional Resolution passed by both Houses
- CONF CMTE UNABLE TO AGREE*.....Committee of Conference unable to agree; bill died
- DIED BETWEEN BODIES*.....House & Senate disagree; bill died
- DIED IN CONCURRENCE*.....One body accepts ONTP report; the other indefinitely postpones the bill
- DIED ON ADJOURNMENT*.....Action incomplete when session ended; bill died
- EMERGENCY*.....Enacted law takes effect sooner than 90 days
- FAILED EMERGENCY ENACTMENT/FINAL PASSAGE*.....Emergency bill failed to get 2/3 vote
- FAILED ENACTMENT/FINAL PASSAGE*.....Bill failed to get majority vote
- FAILED MANDATE ENACTMENT*.....Bill imposing local mandate failed to get 2/3 vote
- INDEF PP*.....Bill Indefinitely Postponed
- ONTP*..... Ought Not To Pass report accepted
- OTP ND*..... Committee report Ought To Pass In New Draft
- OTP ND/NT*..... Committee report Ought To Pass In New Draft/New Title
- P&S XXX*..... Chapter # of enacted Private & Special Law
- PUBLIC XXX*..... Chapter # of enacted Public Law
- RESOLVE XXX*..... Chapter # of finally passed Resolve
- UNSIGNED*.....Bill held by Governor
- VETO SUSTAINED*.....Legislature failed to override Governor's Veto

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is June 30, 1998 and July 9, 1998 for the Second Special Session. Second Special Session laws include Public Laws beginning with Chapter 718, Private and Special Laws beginning with Chapter 82 and Resolves beginning with Chapter 117.

## Joint Standing Committee on Health and Human Services

**LD 153**

**An Act to Provide Social Services to Children in Need of Services and State Supervision**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BUNKER PARADIS	ONTP	

LD 153 proposed to establish 2 systems for providing services to children who are runaways, homeless or truant or whose conduct is violent or aggressive or places them at risk or in danger of serious harm or serious injury. The children who were proposed to receive services from the Department of Mental Health, Mental Retardation and Substance Abuse Services are designated as children in need of services. Services to this group of children would be based on cooperation between the child and the Department of Mental Health, Mental Retardation and Substance Abuse Services. The children who were proposed to receive services from the Department of Human Services, because their conduct creates a threat of serious harm or serious injury, are designated as children in need of state supervision. Services to this group of children would be based on a voluntary agreement between the Department of Human Services and the custodial parent or custodian of the child.

See the committee bill on children's mental health, LD 2295.

**LD 1113**

**An Act to Require the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services to Report the Facts of an Unnatural Death of a Patient under the Care of the Department to the Legislature**

**PUBLIC 605**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BENOIT	OTP-AM	S-485

LD 1113 proposed to require the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services to disclose information concerning the death from unnatural causes of a patient admitted to a state mental health institute. The disclosure would have been made to the Joint Standing Committee on Health and Human Services in executive session within 5 days of the death. No one receiving the information would have been allowed to discuss or disclose it outside of executive session.

**Committee Amendment "A" (S-485)** proposed to replace the bill. It proposed to require the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services to report to the chairs of the Joint Standing Committee on Health and Human Services information on a death reportable by the commissioner to the Chief Medical Examiner. The amendment proposed to require that information and reports must maintain the confidentiality of the identity of all persons mentioned or referred to in the information and reports.