

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
118TH LEGISLATURE**

**FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
HEALTH AND HUMAN SERVICES**

**JULY 1997**

***MEMBERS:***

***Sen. Judy Paradis, Chair***

***Sen. Susan W. Longley***

***Sen. Betty Lou Mitchell***

***Rep. J. Elizabeth Mitchell, Chair***

***Rep. Joseph E. Brooks***

***Rep. Elaine Fuller***

***Rep. Thomas J. Kane***

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***Rep. Glenys P. Lovett***

***Rep. Jeffery G. Joyner***

***Rep. Tarren R. Bragdon***

***Rep. Lois A. Snowe-Mello***

***Staff:***

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**Maine State Legislature**

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**ONE HUNDRED EIGHTEENTH LEGISLATURE  
FIRST REGULAR AND FIRST SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees  
August 1997**

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. 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:

- CARRIED OVER*.....*Bill carried over to Second Regular Session*
- 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 First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

*David E. Boulter, Director*

Offices Located in the State House, Rooms 101/107/135

**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**

**CARRIED OVER**

Sponsor(s)  
BENOIT

Committee Report

Amendments Adopted

LD 1113 proposes 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 to the Joint Standing Committee on Health and Human Services. The bill was carried over to the Second Regular Session of the 118th Legislature.

**LD 1114**

**Resolve, to Extend the Protections against Spousal Impoverishment under the Medicaid Program**

**RESOLVE 42  
EMERGENCY**

Sponsor(s)  
PINGREE  
KONTOS

Committee Report  
OTP-AM

Amendments Adopted  
S-197

LD 1114 proposed to require the Department of Human Services to amend its rules to extend spousal support protections to the spouse of a resident of a cost-reimbursed residential care facility to the same extent as is now available to the spouse of a nursing facility resident. The bill would require that the department, in consultation with the Long-term Care Steering Committee and other interested groups, examine the support available under different long-term care programs to the spouses and families of single and married long-term care recipients and to make recommendations for ensuring greater equity in the income and resource protections extended to individuals who are similarly situated.

**Committee Amendment "A" (S-197)** proposed to delete the requirement on spousal protection and to add to the study duties of the Commissioner of Human Services and the Long-term Care Steering Committee. It would change the initial report date to January 1, 1998 and add a fiscal note to the bill.

***Enacted law summary***

Resolves 1997, chapter 42 comprises the provisions of the bill and the Committee Amendment. It requires the Commissioner of Human Services and the Long-term Care Steering Committee to study medical and financial eligibility screening and the availability and development of long-term care options. It requires an interim report by January 1, 1998, and a final report by November 1, 1998, to the Health and Human Services Committee. The resolve takes effect May 30, 1997.