

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:

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Sen. Susan W. Longley
Sen. Betty Lou Mitchell

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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).

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.

This bill also proposed to place in state law the due process and fairness protections that were part of the AFDC program but have been repealed from federal law.

Committee Amendment "A" (S-588) proposed to replace the bill. It proposed to allow recipients of assistance under the Temporary Assistance for Needy Families program to receive assistance for longer than 60 months when the family complies with the requirements of TANF and ASPIRE-TANF. It also proposed to add a fiscal note.

Enacted law summary

Public Law 1997, chapter 695 comprises the provisions of Committee Amendment "A". It allows recipients of assistance under the Temporary Assistance for Needy Families program to receive assistance for longer than 60 months when the family complies with the requirements of TANF and ASPIRE-TANF.

LD 1570 An Act to Require Tobacco Manufacturers to Disclose Ingredients Contained within Tobacco Products DIED IN CONCURRENCE

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS	ONTP MAJ	
NUTTING	OTP-AM MIN	

LD 1570 proposed to require manufacturers of cigarettes and smokeless tobacco sold in this State to disclose annually in reports to the Department of Human Services added constituents and nicotine yield ratings. This legislation was modeled on recently enacted Massachusetts law.

Committee Amendment "A" (S-473) (Minority Report) proposed to replace the bill. It proposed to require manufacturers of tobacco products sold in the State to file an annual report disclosing if any of the 15 listed ingredients are contained in the products. It proposed to designate the reports as public information. It proposed to add a fiscal note.

LD 1585 An Act to Provide Additional Adoption Assistance to State Employees ONTP

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

LD 1585 proposed to establish an additional adoption assistance program for employees of the State who adopt special needs or other children. Benefits would have been limited to actual costs of adoption, including but not limited to medical costs not covered by insurance, fees of licensed adoption agencies, fees for the court process and attorneys and fees for investigations.

LD 1661 Resolve, to Implement the Recommendations of the Blue Ribbon Commission on Hunger and Food Security RESOLVE 117

Sponsor(s)
BENOIT

Committee Report
OTP-AM

Amendments Adopted
S-587
H-1078 MITCHELL J

LD 1661 proposed to implement the recommendations of the Blue Ribbon Commission on Hunger and Food Security by making the following changes in state law:

1. Setting the state minimum wage at 25¢ more than the federal minimum wage;
2. Establishing an out-of-poverty wage for state employees and state contractors equal to the amount necessary to produce an income equal to the federal poverty guideline for a family of 3;
3. Establishing a state earned income tax credit equal to 25% of the federal earned income tax credit;
4. Providing that persons not required to file for federal income tax purposes are not required to file for state income tax purposes and are not required to pay state income tax;
5. Reestablishing state participation in extended unemployment benefits;
6. Establishing that failure of child care or transportation arrangements necessary for work are not grounds for denying unemployment benefits;
7. Maintaining transitional child care benefits at a minimum of the level for fiscal year 1996-97;
8. Requiring the Department of Human Services to apply for a federal waiver to permit Medicaid coverage to families up to 185% of federal poverty guidelines;
9. Requiring a school to participate in the school breakfast program if at least 35% of the students are eligible for free or reduced-price meals and permitting the Department of Education to establish hardship grants to assist schools in complying;
10. Establishing the Office of Food Security within the Department of Human Services to coordinate and monitor food assistance programs and administer a food security outreach program and the Maine Food Security Fund;
11. Providing for food security motor vehicle registration plates with revenues distributed to the Maine Food Security Fund;
12. Providing a voluntary food security income tax checkoff; and
13. Creating the Maine Millennium Commission on Hunger and Food Security to evaluate the actions taken under the recommendation of the Blue Ribbon Commission on Hunger and Food Security and investigate the condition of the State with regard to hunger and food security. The commission would have been required to conduct its review in the years 2000 and 2001 and report to the Legislature that convenes in December 2001.

Committee Amendment "A" (S-587) proposed to change the bill to a resolve and remove all the sections of the original bill except the provision enacting the Maine Millennium Commission on Hunger and Food Security.

House Amendment "A" to Committee Amendment "A" (H-1078) proposed to clarify that legislators are entitled to the legislative per diem and expenses for attendance at the Maine Millennium Commission on Hunger and Food Security meetings.

Enacted law summary

Resolve 1997, chapter 117 comprises the provisions of Committee Amendment "A" and House Amendment "A" to Committee Amendment "A". It establishes the Maine Millennium Commission on Hunger and Food Security to work from December 15, 1999 to December 15, 2001. The commission is required to hold hearings around the state and to assess the progress being made on relieving hunger and ensuring food security. The commission is required to submit a report to the 120th Legislature together with necessary implementing legislation by December 15, 2001.

LD 1677 An Act to Improve Children's Health ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LONGLEY MITCHELL E	ONTP	

LD 1677 proposed to establish the Children's Health Care Program to maximize the access of children to primary, preventive and acute health care; health programs; and information about illness, prevention of illness and health maintenance. The program would have been administered by the Commissioner of Human Services and the advisory committee on Medicaid.

The bill proposed to establish a tobacco use reduction initiative, administered by the Commissioner of Human Services in cooperation with the Director of the Bureau of Public Health, to educate the public, particularly persons under 19 years of age, regarding the risks of tobacco use.

The initiatives proposed to be established by the bill would have been funded by increases in the cigarette tax, the tax on smokeless tobacco and the tax on other tobacco products.

See LD 2225.

LD 1737 An Act to Provide for Confidentiality of Health Care Information PUBLIC 793

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FULLER	OTP-AM MAJ ONTP MIN	H-1066 H-1069 BRUNO H-1073 LOVETT H-1096 FULLER S-716 MICHAUD

LD 1737 proposed to establish safeguards for maintaining the confidentiality, security and integrity of health care information. It proposed to establish requirements for confidentiality and authorization by patients for disclosure of