

# 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***

***Rep. Wendy Pieh***

***Rep. Michael W. Quint***

***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 1663**

**An Act to Ensure the Appropriate Treatment of Autism**

**ONTP**

<u>Sponsor(s)</u> SMALL	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1663 proposed to establish guidelines concerning the method, frequency and intensity of intervention that is provided to an individual with autism. The bill would have required that a task force be established to set qualifications for persons that provide intervention for individuals diagnosed with autism and would have set standards for the practitioners who treat autism.

**LD 1673**

**An Act to Amend the Child and Family Services and Child Protection Act**

**PUBLIC 328**

<u>Sponsor(s)</u> MARVIN	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-430
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LD 1673 proposed to enable the Commissioner of Human Services to release information pertaining to child abuse or neglect when criminal action had been taken as a result of abuse or neglect or where public disclosure of an abuse and neglect case had already occurred.

**Committee Amendment "A" (H-430)** proposed to allow the Attorney General to advise the Commissioner of Human Services in making a decision whether to release child welfare information and to add the age of the child to information that may be released. The amendment would require agreement of the guardian ad litem and the commissioner for children under 13 years of age and agreement of the guardian ad litem, the child and the commissioner for children 13 years of age or older when the information released contains the name and age of the child. It also proposed to add a fiscal note to the bill.

***Enacted law summary***

Public Law 1997, chapter 328 comprises the provisions of the bill and the Committee Amendment. It allows the Commissioner of Human Services to release limited child protective information in limited circumstances. It provides for advice from the Attorney General to the Commissioner regarding the release of information.

**LD 1677**

**An Act to Improve Children's Health**

**CARRIED OVER**

<u>Sponsor(s)</u> LONGLEY MITCHELL E	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 1677 proposes 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 be administered by the Commissioner of Human Services and the advisory committee on Medicaid.

The bill also 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 by this bill would be funded by increases in the cigarette tax, the tax on smokeless tobacco and the tax on other tobacco products. The bill was carried over to the Second Regular Session of the 118th Legislature.

See LD 1887 and 1888 and Governor King's bill, LD 1898. See also LD 1904, Public Law 1997, chapter 560.

**LD 1684**                      **Resolve, to Establish 2 Pilot Projects to Promote Innovations in and Improve Long-term Care**                      **HELD BY GOVERNOR**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BENNETT FULLER	OTP-AM	S-256 S-406 MICHAUD

LD 1684 proposed to direct the Department of Human Services to apply for a waiver to establish demonstration projects to provide long-term care services, health care and housing in flexible arrangements from a number of providers. It would have required the establishment of a working group to advise the department. The demonstration projects would have been designed to increase choice and control for consumers of long-term care services and housing. The pilot projects would have operated for a minimum of 2 years. Reports would have been due to the Governor and the Legislature on January 1, 1998 and January 1, 1999.

**Committee Amendment "A" (S-256)** proposed to change the date of the application for a waiver to July 1, 1998. It would have required any savings under the waiver to be used to increase coverage for consumers of long-term care services. It would have set an implementation date 180 days from the date of the granting of the waiver. It would have changed the length of the pilot projects from 2 years to 3 years and added an appropriation, allocation sections and a fiscal note to the resolve.

**House Amendment "A" to Committee Amendment "A" (H-708)** proposed to clarify a reporting date.

**Senate Amendment "A" to Committee Amendment "A" (S-406)** proposed to eliminate the appropriation and allocation sections.

The bill was amended by S-256 and S-406 was enacted by the Legislature, but is being held unsigned by the Governor.