

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
119TH LEGISLATURE**

**FIRST REGULAR SESSION**

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

**JULY 1999**

**Staff:**  
*Jane Orbeton, Legislative Analyst*

*Office of Policy and Legal Analysis  
Room 101/107/135, 13 State House Station  
Augusta, ME 04333  
(207)287-1670*

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**Maine State Legislature  
OFFICE OF POLICY AND LEGAL ANALYSIS**

13 State House Station, Augusta, Maine 04333-0013  
Telephone: (207) 287-1670  
Fax: (207) 287-1275

**ONE HUNDRED NINETEENTH LEGISLATURE  
FIRST REGULAR SESSION**

**Summary Of Legislation Before The Joint Standing and Select Committees  
August 1999**

We are pleased to provide this summary of all bills that were considered by the Joint Standing and Select Committees of the Maine Legislature this past session. 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 and select committees.

The document is organized for convenient reference to information on bills considered by the 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:

- 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*
- ENACTMENT FAILED*..... *Bill failed to get vote required for enactment or final passage*
- NOT PROPERLY BEFORE THE BODY*..... *Ruled out of order by the presiding officers; bill died*
- 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 September 18, 1999.

**Committee Amendment "A" (H-623)** is the majority report of the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on Health and Human Services. The amendment proposed to replace the resolve. It proposed to retain the provisions of the resolve expanding home visiting services, require an evaluation component, allow voluntary donations on a sliding scale by families upon termination of services to those families and make General Fund appropriations to fund home visiting services. It proposed to change the name of the task force to the "Task Force on Early Care and Education." It proposed to direct the task force to monitor the development of the process that supports home visiting programs by the Department of Human Services. It proposed to delete reference to a course of study in parenting education. The amendment proposed to retain the provisions of the resolve that add two more members who are Legislators to the task force and extend the life of the task force until January 15, 2001. It proposed to require an interim report of the task force before January 15, 2000 and a final report before January 15, 2001. It also proposed to add an appropriation of \$1,622,600 in FY 1999-00 and \$6,408,440 in FY 2000-01.

The provisions of the resolve and the committee amendment expanding home visiting services, requiring an evaluation component to the program and allowing voluntary family donations on a sliding scale upon termination of services to those families were included in the Part II Budget, Public Law 1999, chapter 401, Part LLL.

**Senate Amendment "A" to Committee Amendment "A" (S-454)** proposed to eliminate the General Fund costs of the bill by \$1,622,600 in fiscal year 1999-00 and \$6,408,440 in fiscal year 2000-01. A General Fund appropriation of \$1,620,000 was included in the Part II Budget, Public Law 1999, chapter 401, Part LLL.

*Enacted law summary*

Resolve 1999, chapter 79 renames the Task Force to Study Strategies to Support Parents as Children’s First Teachers. The new name is the Task Force on Early Care and Education. The task force membership is expanded to include two additional legislators. An interim report is required from the task force by January 15, 2000 and a final report by January 15, 2001

**LD 959**

**An Act to Clarify the Standard for Cause in the Request for Proposal Process for the Department of Mental Health, Mental Retardation and Substance Abuse Services**

**VETO  
SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FULLER MITCHELL B	OTP-AM	H-709

LD 959 proposed to require the Department of Mental Health, Mental Retardation and Substance Abuse Services to make a determination that good cause exists prior to placing existing services out to competitive bid. Good cause would be defined to include the failure of the current provider to adhere to program, policy or performance criteria, to correct deficiencies, to improve services or to reduce costs, repeated and substantiated complaints against the provider, a material change in circumstances or other reasonable causes as provided by regulation. The bill proposed to also require the department to give providers of existing services 90 days notice prior to issuance of a request for proposals.

**Committee Amendment "A" (H-229)** proposed to replace the bill. It proposed to place into law the procedures and grounds to be used when the Department of Mental Health, Mental Retardation and Substance

Abuse Services undertakes competitive bidding of a contract for existing services. It proposed to enact provisions on good cause, protection of consumers of services and qualifications of prospective bidders.

**Committee Amendment "B" (H-709)** proposed to replace the bill. It proposed to place into law certain procedures and grounds to be used when the Department of Mental Health, Mental Retardation and Substance Abuse Services undertakes for competitive bidding a contract for existing services. It proposed to enact provisions on good cause, protection of consumers of services and qualifications of prospective bidders. It proposed to correct two errors in the language of Committee Amendment "A".

The bill was enacted and subsequently vetoed by the Governor.

**LD 975**                      **An Act to Establish a Mental Health, Human Services and Corrections Ombudsman**                      **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TOWNSEND PENDLETON		

LD 975 proposes to create the Office of Mental Health, Human Services and Corrections Ombudsman, an autonomous agency designed to represent the best interests of individuals involved in the State's mental health, human services and corrections systems and to provide independent clinical oversight for cases in the State's mental health, human services and corrections systems. See also LDs 114, 528 and 1290.

This bill has been carried over to the Second Regular Session of the 119th Legislature.

**LD 1002**                      **Resolve, to Comprehensively Address Protection of Public Health and Natural Resources**                      **ONTP**

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

LD 1002 proposed to transfer the Division of Health Engineering to the Department of Environmental Protection from the Department of Human Services, and the eating and lodging program from the Department of Human Services to the Department of Agriculture, Food and Rural Resources effective July 1, 2000. It proposed to direct the Department of Environmental Protection and the Department of Agriculture, Food and Rural Resources to propose legislation necessary to make the transfers by January 1, 2000.