

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

SECOND REGULAR SESSION

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

JULY 2000

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ONE HUNDRED NINETEENTH LEGISLATURE
SECOND REGULAR SESSION

Summary Of Legislation Before The Joint Standing Committees
July 2000

We are pleased to provide this summary of 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).

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
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 Second Regular Session (unless otherwise specified in a particular law) is August 11, 2000.

David E. Boulter, Director
Offices Located in the State House, Rooms 101 & 107

the course of business or not. The bill proposed to prohibit self-service displays of tobacco products except in a business establishment where the primary business is the retail sale of tobacco products. The bill also proposed to prohibit the producers of tobacco products from offering incentives as a reward for increasing sales of tobacco products. The penalty for a violation of these prohibitions would be the same as for violations of other tobacco product sales prohibitions, such as sales to minors and sales through vending machines in unlawful ways.

LD 2128 Resolve, Regarding Public Health Supervision of Dental Hygienists RESOLVE 104

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| LOVETT PARADIS | OTP-AM | H-930 |

LD 2128 proposed to amend the laws governing the licensure of dental hygienists in the following ways.

1. It proposed to add 3 members to the Board of Dental Examiners, 2 additional dental hygienists and one additional representative of the public.
2. It proposed to set standards for the licensure of dental hygienists by the Board of Dental Examiners.
3. It proposed to increase the number of hours of continuing education that a dental hygienist must successfully complete as a condition of renewal of a license to practice.

Committee Amendment "A" (H-930) proposed to change the title and format of the bill and direct the Board of Dental Examiners to amend the rule regarding public health supervision of dental hygienists in order to provide less restrictive public health supervision of dental hygienists. The purpose of the rule change would be to encourage greater utilization of services in institutional, public health and other settings outside a dental office. Rules adopted pursuant to this provision would be designated as routine technical rules. The amendment proposed to add a fiscal note.

Enacted law summary

Resolve 1999, chapter 104 directs the Board of Dental Examiners to amend the rule regarding public health supervision of dental hygienists in order to provide less restrictive public health supervision of dental hygienists. The purpose of the rule change is to encourage greater utilization of services in institutional, public health and other settings outside a dental office. Rules adopted pursuant to this provision are designated as routine technical rules.

LD 2150 An Act to Ensure Community-based Services for Persons With Mental Retardation or Autism ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| QUINT PARADIS | ONTP | |

LD 2150 proposed to incorporate into statute portions of the 1994 Community Consent Decree for the provision of services to persons with mental retardation or autism.

This bill proposed to establish a policy of providing education, training and support services and programs to persons with mental retardation or autism and establish a committee to study whether to identify the population eligible for services and programs within the scope of the Maine Revised Statutes, Title 34-B, chapter 4 as persons with developmental disabilities, or whether to continue to identify the population as persons with mental retardation or autism.

The bill proposed to continue the current practice of person-centered planning as a means for identifying and articulating the needs of clients for services and programs, to require that the Department of Mental Health, Mental Retardation and Substance Abuse Services maintain the ratio of caseworkers to clients required by the decree and to require that the department maintain the current system of crisis and respite services.

The bill proposed to provide mechanisms to promote the level of programs and services specified by the decree and require that the department provide a system for speedy resolution of grievances and appeals in cases where needs go unmet. It proposed to require that the department maintain accurate records about needs for services, conduct public hearings and summarize and report the status of the system to the Legislature as well as plan to correct identified deficiencies. The bill proposed to continue the Consumer Advisory Board as an independent oversight body with reporting responsibilities and to require the department to develop a quality assurance plan.

LD 2187 Resolve, to Study Youth Homelessness

INDEF PP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| QUINT PARADIS | OTP-AM | |

LD 2187 proposed to implement 4 recommendations of the Interagency Task Force on Homelessness and Housing Opportunities, issued pursuant to Public Law 1997, chapter 643, Part XX, section 5. The following are the 4 recommendations implemented by this resolve.

1. The resolve proposed to establish a study of a potential Maine runaway and homeless youth system to examine, for runaway and homeless youth, community-based options, low-barrier access, assessment, treatment, family mediation and outreach services that are consistent statewide to determine what minimal level of service is required to ensure the safety and well-being of unaccompanied homeless youths. The resolve proposed to establish a 10-member task force to conduct the study and submit a report of its findings, together with any recommended implementing legislation to the Legislature by March 1, 2000. The resolve proposed to appropriate \$20,000 through the Maine State Housing Authority to pay for the study.
2. The resolve proposed to appropriate \$100,000 each for the Department of Corrections, Department of Human Services, Department of Mental Health, Mental Retardation and Substance Abuse Services, Department of Labor and Department of Education to develop additional services and plans to serve youths who have outgrown the system. These services and plans would assist youths who are up to 21