

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

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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).

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.

The bill proposes to continue the current practice of person-centered planning as a means for identifying and articulating the needs of clients for services and programs and 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 maintain the current system of crisis and respite services.

The bill proposes to provide mechanisms to promote the level of programs and services specified by the decree and to require that the department provide a system for speedy resolution of grievances and appeals in cases where needs go unmet. It proposes 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 proposes 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. The bill proposes to modernize the statutes to conform with current practice and terminology.

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

LD 2167 **An Act to Ensure the Availability of Funds for Tobacco Prevention and Control** **ONTP**

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

LD 2167 proposed to establish the Tobacco Prevention and Control Fund and the Health Care Fund for Maine Citizens. The bill proposed to continue the commitment of tobacco tax revenues for the prevention and control of tobacco usage prevention and control and provide that settlement funds received from legal actions by the State against tobacco companies be divided equally between the Tobacco Prevention and Control Fund and the Health Care Fund for Maine Citizens. See also Public Law 1999, chapter 401, Parts U & V.

LD 2169 **An Act to Establish the Trust Fund for a Healthy Maine** **ONTP**

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

LD 2169 proposed to establish the Trust Fund for a Healthy Maine, which would have as its primary source of revenue money received by the State in settlement or in relation to the lawsuit State of Maine v. Philip Morris, et al., Kennebec County Superior Court, Docket No. CV-97-134.

Money from the fund would be allocated by the Legislature for smoking cessation and education, children's early care and education, health insurance, substance abuse prevention and treatment with particular emphasis on meeting the needs of children in those areas. Allocations would also be made for low-cost prescription drugs for the elderly.

The bill proposed to require the Treasurer of State to invest money in the fund that is not allocated and to develop a long-term strategy for those investments to maximize return and minimize risk. The Treasurer of State would make annual reports on the investment plan to the Joint Standing Committee on Appropriations and

Financial Affairs and the Joint Standing Committee on Health and Human Services. See also Public Law 1999, chapter 401, Parts U & V.

LD 2181 Resolve, to Help Homeless Young People Returning to Home or RESOLVE 55
Safe Living Situations

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
QUINT PINGREE	OTP-AM	H-654

LD 2181 proposed to create the Homeless Youth Demonstration Project to operate a site in Bangor and a site in Portland at which the project will develop and deliver creative, innovative and collaborative nontraditional services to unaccompanied youths and youths-at-risk. The project would be administered jointly by the Department of Human Services and the Department of Mental Health, Mental Retardation and Substance Abuse Services along with 2 stakeholders' groups composed of interested organizations and individuals organized by the departments for both sites. The project would report back to the Legislature with an evaluation including measurable outcomes and recommended implementing legislation by February 1, 2001. This resolve proposed to appropriate \$300,000 a year for 2 years to fund the project.

Committee Amendment "A" (H-654) proposed to change the minimum age of the youth served in the Homeless Youth Demonstration Pilot Project from 12 years of age to 14 years of age. It proposed to add health care to basic services and provide for input from the regional children's cabinets and the Governor's children's cabinet in the reports submitted by December 31, 1999 and December 31, 2000. It proposed to require the collection and maintenance of data on youth of different ages and require the evaluation to cover the situations and needs of youth of different ages. It proposed to require the development of a comprehensive community plan for providing residential, educational, health, career development and social services to homeless youth. Following approval of the community plan by the Commissioner of Human Services and the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services, it proposed to require the Department of Human Services to take steps to implement the community plan.

Enacted law summary

Resolve 1999, chapter 55 creates the Homeless Youth Demonstration Project to operate a site in Bangor and a site in Portland at which the project will develop and deliver creative, innovative and collaborative nontraditional services to unaccompanied youths and youths-at-risk ages 14 to 17. The project is administered jointly by the Department of Human Services and the Department of Mental Health, Mental Retardation and Substance Abuse Services along with 2 stakeholders' groups composed of interested organizations and individuals organized by the departments for both sites input from the regional children's cabinets and the Governor's children's cabinet in the reports submitted by December 31, 1999 and December 31, 2000. The project is to report back to the Legislature with an evaluation including measurable outcomes and recommended implementing legislation by February 1, 2001.