

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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Sen. Betty Lou Mitchell*

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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
ONT P..... Ought Not To Pass report accepted
OT P ND..... Committee report Ought To Pass In New Draft
OT P 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.

David E. Boulter, Director
Offices Located in the State House, Rooms 101/107/135

It requires the Office of Substance Abuse within the Department of Mental Health, Mental Retardation and Substance Abuse Services to design programs that are age-appropriate and therapeutically appropriate for clients.

It requires the Office of Substance Abuse to set and adjust fees in accordance with the cost of each program.

LD 2209 **Resolve, Directing the Department of Human Services to Include Asset Depreciation with Respect to Commercial Fishing Vessels in Establishing Eligibility for the Cub Care Program** **ONTP**

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

LD 2209 proposed to require the Department of Human Services to include asset depreciation with respect to commercial fishing vessels in establishing eligibility for the Cub Care program.

LD 2212 **An Act to Revise Laws Regarding Persons with Mental Retardation CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KANE RAND		

LD 2212 proposes to revise and update the laws in the Maine Revised Statutes, Title 34-B dealing with persons with mental retardation or autism in order to more accurately reflect current practices and to bring the law into compliance with judicial mandates.

This bill was submitted on behalf of the Department of Mental Health, Mental Retardation and Substance Abuse Services.

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

LD 2215 **An Act to Implement the Recommendations of the Commission on Eating Disorders** **INDEF PP**

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

LD 2215 proposed to enact provisions to implement the recommendations of the Commission on Eating Disorders. It proposed to establish an Office of Eating Disorders in the Department of Human Services, establishing an Eating Disorders Advisory Board and requiring a report from the Office of Eating Disorders by February 1, 2000 to the Joint Standing Committee on Health and Human Services on laws to regulate businesses that sell products or services promoting weight loss. This bill proposed to establish one position

within the Office of Eating Disorders of \$44,643 and \$53,427 for fiscal years 1999-00 and 2000-01 for the Department of Human Services.

LD 2220

Resolve, Regarding Legislative Review of Portions of Sections 61, 62, 63, 68, 69 and 73 of 10-149, Chapter 5: Bureau of Elder and Adult Services Policy Manual, a Major Substantive Rule of the Department of Human Services

**RESOLVE 72
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-727 H-745 KANE

LD 2220 proposed to provide for legislative review of portions of Sections 61, 62, 63, 68, 69 and 73 of 10-149, Chapter 5: Bureau of Elder and Adult Services Policy Manual, a major substantive rule of the Department of Human Services.

Committee Amendment "A" (H-727) proposed to approve the provisionally adopted rules of the Bureau of Elder and Adult Services with some changes. The changes would include a phased-in schedule for the inclusion of spouse's income and a phased-in schedule for application of income to consumer payment. The amendment proposed to require that the rules insert another step in the graduated contribution of consumers to the cost of their care. The amendment proposed to require the Department of Human Services to convene a working group to examine the current and provisionally adopted rules and, with regard to providers of services in the programs, administrative costs and employee wages and hours and benefits. The working group would be required to report to the Joint Standing Committee on Health and Human Services by January 5, 2000. The provisionally adopted rules would take effect February 1, 2000.

House Amendment "A" to Committee Amendment "A" (H-745) proposed to remove Legislators from the working group required to be convened by the Department of Human Services regarding programs administered by the Bureau of Elder and Adult Services. The department would be required to provide notice of all meetings of the working group to the Joint Standing Committee on Health and Human Services.

Enacted law summary

Resolve 1999, chapter 72 authorizes, with modifications, portions of Sections 61, 62, 63, 68, 69 and 73 of 10-149, Chapter 5: Bureau of Elder and Adult Services Policy Manual, a major substantive rule of the Department of Human Services.

The required changes include a phased-in schedule for the inclusion of spouse's income and a phased-in schedule for application of income to consumer payment, another step in the graduated contribution of consumers to the cost of their care and a requirement that the Department of Human Services convene a working group to examine the current and provisionally adopted rules and, with regard to providers of services in the programs, administrative costs and employee wages and hours and benefits. The department shall provide notice of all meetings of the working group to the Joint Standing Committee on Health and Human Services. The working group is required to report to the Joint Standing Committee on Health and Human Services by January 5, 2000. The approved rules are required to take effect February 1, 2000.

Chapter 72 was enacted as an emergency measure effective June 11, 1999.