

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

MEMBERS:

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Sen. Georgette B. Berube
Sen. Betty Lou Mitchell*

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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

LD 2659

Resolve, Regarding Legislative Review of Portions of Sections 61, 62, 63, 68 and 73 of 10-49, Chapter 5, Bureau of Elder and Adult Services Policy Manual, a Major Substantive Rule of the Department of Human Services

**RESOLVE 118
EMERGENCY**

Sponsor(s)

Committee Report
OTP-AM

Amendments Adopted
H-1099

LD 2659 proposed to provide for legislative review of portions of Sections 61, 62, 63, 68 and 73 of 10-49, Chapter 5, Bureau of Elder and Adult Services Policy Manual, a major substantive rule of the Department of Human Services.

Committee Amendment "A" (H-1099) proposed to amend the resolve by providing that the rules for adult day services, Alzheimer's respite, congregate housing services, the homemaker program, home-based care for elders and adults with disabilities and consumer-directed home-based care programs require that consumers who may qualify for a waiver be informed of the right to apply for a waiver. The amendment also proposed to provide that the rules for in-home and community support services and personal care assistance for severely physically disabled adults refer to determination of the dependent allowance in agreement with the method used in the Medicaid program. The amendment also proposed to add a fiscal note.

Enacted law summary

Resolve 1999, chapter 118 provides for legislative review of portions of Sections 61, 62, 63, 68 and 73 of 10-49, Chapter 5, Bureau of Elder and Adult Services Policy Manual, a major substantive rule of the Department of Human Services. It requires that the rules for adult day services, Alzheimer's respite, congregate housing services, the homemaker program, home-based care for elders and adults with disabilities and consumer-directed home-based care programs require that consumers who may qualify for a waiver be informed of the right to apply for a waiver. It also provides that the rules for in-home and community support services and personal care assistance for severely physically disabled adults refer to determination of the dependent allowance in agreement with the method used in the Medicaid program.

Resolve 1999, chapter 118 was finally passed as an emergency measure effective April 14, 2000.

LD 2681

An Act to Require Rules on Temporary Campgrounds to be Major Substantive Rules

PUBLIC 727

Sponsor(s)

Committee Report

Amendments Adopted

LD 2681 proposed to provide that rules adopted by the Department of Human Services regulating tent and recreational vehicle parks, agricultural fair camping facilities, temporary campgrounds and wilderness recreational parks are major substantive rules beginning March 1, 2001. This provision proposed to repeal March 1, 2004.

Enacted law summary

Public Law 1999, chapter 727 provides that rules adopted by the Department of Human Services regulating tent and recreational vehicle parks, agricultural fair camping facilities, temporary campgrounds and wilderness recreational parks are major substantive rules beginning March 1, 2001. The law contains a future repeal date of March 1, 2004.

HP 1955

JOINT ORDER – Relative to the Joint Select Committee on the Psychiatric Treatment Initiative

PASSED

Sponsor(s)

Committee Report

Amendments Adopted

Joint Order HP 1955 proposed to establish the Joint Select Committee on the Psychiatric Treatment Initiative.

Enacted law summary

Joint Order HP 1955, as passed in both the House and Senate, establishes the Joint Select Committee on the Psychiatric Treatment Initiative, an 8-member committee authorized to meet up to 4 times between September 1, 2000 and November 1, 2000. The committee's duties include overseeing the efforts of the Department of Mental Health, Mental Retardation and Substance Abuse Services to address the recommendations for action regarding the delivery of mental health services in the community outlined in the report "Maine Treatment Initiative: Civil and Forensic." The committee is also charged with working with community providers and reporting by November 1, 2000 on actions taken by the department to the Joint Standing Committee on Appropriations and Financial Affairs, the Joint Standing Committee on Criminal Justice and the Joint Standing Committee on Health and Human Services.