

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Health and Human Services*

August 2001

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120th Legislature
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Summary Of Legislation Before The Joint Standing Committees
August 2001

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 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
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
ONT P.....	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 21, 2001**.

David E. Boulter, Director
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Joint Standing Committee on Health and Human Services

LD 37

An Act to Amend the Law Governing the Child Care Advisory Council and to Gather Data on Child Care Services in the State

**PUBLIC 179
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LONGLEY	OTP-AM	S-92

LD 37 proposed to amend the law governing the Child Care Advisory Council by changing the number of members on the council and by removing the language that prohibits subsequent consecutive terms for members. The bill also proposed to appropriate funds to the Department of Human Services, Office of Child Care and Head Start for a one-time competitive grant to a private entity to gather data on child care services in the State.

Committee Amendment "A" (S-92) proposed to specify that the Child Care Advisory Council may identify the need for additional members, who will be appointed by the Governor. The amendment also proposed to delete the appropriation section.

Enacted law summary

Public Law 2001, chapter 179 amends the law governing the Child Care Advisory Council by changing the number of members on the council and by removing the language that prohibits subsequent consecutive terms for members. It specifies that the Child Care Advisory Council may identify the need for additional members, who will be appointed by the Governor.

Public Law 2001, chapter 179 was enacted as an emergency measure effective May 16, 2001.

LD 50

An Act to Expand Eligibility for the Elderly Low-cost Drug Program

**DIED ON
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE W MARTIN	OTP-AM MAJ ONTP MIN	H-510

LD 50 was a concept draft pursuant to Joint Rule 208.

This bill proposed to amend the Elderly Low-Cost Drug program established in the Department of Human Services to establish a scale for eligibility for benefits for seniors under the program. The effect of this bill would be to expand the number of seniors that benefit under the elderly low-cost drug program by allowing those that are currently ineligible because their income exceeds 185% of the federal poverty level to participate at a level commensurate with their income level.

Committee Amendment "A" (H-510) is the majority report of the committee. It proposed to provide a new title and replace the bill, which was a concept draft. It proposed to establish income eligibility for the Elderly Low-Cost Drug program at 185% of the federal nonfarm income poverty level in 2001, as adjusted annually to match the increases in the payment of Social Security retirement benefits. It proposed to add to the basic component of

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the program over-the-counter medications prescribed by a health care provider and approved as benefits and supplies related to the treatment of diabetes. It proposed to add an appropriation, a fiscal note and an effective date.

See Public Law 2001, chapter 439, Part HH, Part II budget.

LD 90 An Act to Clarify the Provision of Mental Health Services ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROOKS DAGGETT	ONTP	

LD 90 proposed to specify that the funding approved for a psychiatric treatment facility be for a new Augusta Mental Health Institute. The bill proposed to require the Department of Mental Health, Mental Retardation and Substance Abuse Services to provide appropriate community resources necessary for mental health treatment in this State. The bill also proposed to provide that inpatient services be provided at two state-operated, public psychiatric hospitals, one in Bangor named Bangor Mental Health Institute and one in Augusta named Augusta Mental Health Institute, and at privately operated hospitals.

LD 137 An Act to Provide Accountability in the Handling of Funds for Consumers of Mental Health Services ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SNOWE-MELLO	ONTP	

LD 137 proposed to require representative payees of consumers of mental health services to perform their duties in the manner of fiduciaries and provide quarterly accountings for all funds. The bill proposed to prohibit representative payees from deriving any direct monetary benefit from the relationship. The bill also proposed to allow a person providing case management services, an employee of the Department of Mental Health, Mental Retardation and Substance Abuse Services providing supervision of or reviewing persons or organizations providing publicly funded mental health services or an employee of the Office of Advocacy to examine all financial records regarding the representative payee relationship.

LD 149 An Act to Provide Services to People with Autism ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SNOWE-MELLO MITCHELL B	ONTP	

LD 149 proposed to require the Department of Mental Health, Mental Retardation and Substance Abuse Services to contract for autism services with the Maine chapter of the Autism Society of America. It proposed to specify