

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

*State Of Maine  
120th Legislature*

*First Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Health and Human Services*

*August 2001*

**Staff:**

*Jane Orbeton, Senior Analyst  
Julie Read Marsh, Legislative Analyst*

*Office of Policy and Legal Analysis  
13 State House Station  
Augusta, ME 04333  
(207) 287-1670*

**Members:**

*Sen. Susan W. Longley, Chair  
Sen. Karl W. Turner  
Sen. John L. Martin*

*Rep. Thomas J. Kane, Chair  
Rep. Joseph E. Brooks  
Rep. Elaine Fuller  
Rep. Edward R. Dugay  
Rep. Benjamin F. Dudley  
Rep. Marie Laverriere-Boucher  
Rep. Glenys P. Lovett  
Rep. Thomas F. Shields  
Rep. Julie Ann O'Brien  
Rep. Robert W. Nutting*



**Maine State Legislature  
OFFICE OF POLICY AND LEGAL ANALYSIS**

13 State House Station, Augusta, Maine 04333-0013  
Telephone: (207) 287-1670  
Fax: (207) 287-1275

**120th Legislature  
First Regular Session**

**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](http://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*  
*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 21, 2001**.

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

## Joint Standing Committee on Health and Human Services

6. The center would be required to keep records of patients' usage from the center in order to monitor compliance with statutory limits.
7. The center would be required to report to the Legislature within 18 months of commencement of operation. The report could also contain suggestions for additional legislation to meet needs of patients. The Legislature could then take additional action, including the authorization of additional sites with the State.
8. A person qualified under the Maine Medical Marijuana Act of 1998 who possessed appropriate documentation under the current law of that person's qualification at the time of a stop or encounter with law enforcement would not be subject to seizure of a lawful amount of marijuana or the equipment necessary to maintain, grow or consume medical marijuana.

**LD 619**

**Resolve, to Provide Adequate Patient Care Staffing for Certain Home Care Programs**

**DIED ON  
ADJOURNMENT**

<u>Sponsor(s)</u> KANE PENDLETON	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-632
--	-----------------------------------	------------------------------------

LD 619 proposed to require contracts for home care services entered into by the Department of Human Services for the home-based care program, the Medicaid waiver program and private duty nursing and personal care services programs to contain provisions to include funding for adequate pay and employment benefits for staff providing patient care and audit mechanisms to ensure that the funding is used for those purposes. These provisions would have to be implemented beginning January 1, 2002.

**Committee Amendment "A" (H-632)** proposed to delete from the resolve reference to employment benefits. It proposed to provide for a pay increase of \$1 per hour for direct care workers in the Medicaid waiver program, the private duty nursing and personal care services programs and the home-based care program beginning January 1, 2002. It proposed to add an appropriation section, an allocation section and a fiscal note to the resolve.

**LD 633**

**An Act to Require Reporting on Children's Crisis Services**

**DIED ON  
ADJOURNMENT**

<u>Sponsor(s)</u> KANE PENDLETON	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-646 H-655 O'BRIEN J
--	-----------------------------------	---

LD 633 proposed to require the Department of Mental Health, Mental Retardation and Substance Abuse Services to coordinate with the Department of Human Services to provide cost-based residential and community-based services to all children who qualify for those services through the Children's Mental Health Program.

**Committee Amendment "A" (H-646)** proposed to replace the bill. It proposed to provide a new title. It proposed to require monthly reports by the Department of Mental Health, Mental Retardation and Substance Abuse Services