

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).

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

Retardation and Substance Abuse Services, the Department of Corrections and the Disability Rights Center;
and

6. Add an appropriation section and a fiscal note to the bill.

See Part II Budget, LD 855, PL 2001, chapter 439 Part X, enacting an ombudsman program using contracted services to serve families in the child welfare system.

LD 766

An Act to Improve Child Development Services

**DIED BETWEEN
BODIES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FULLER MITCHELL	OTP-AM	

LD 766 proposed to transfer responsibility for administering the Child Development Services System from the Department of Education to the Department of Human Services, effective July 1, 2002. The bill was jointly referred to the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on Health and Human Services.

Committee Amendment "A" (H-662) is the majority report on the bill. The amendment proposed to replace the bill and make it a resolve. The amendment proposed to direct the Commissioner of Education to review and develop a plan for reorganization of the provision of child development services required under federal law to children from birth to under 6 years of age throughout the State. The plan would provide for centralized administration of the system for delivering those services with the responsibility for decision making vested in the Department of Education in order to provide for equitable distribution of resources and services based on need across the State. The department would be required to consult with the Department of Human Services and Department of Mental Health, Mental Retardation and Substance Abuse Services. To ensure that required services are provided in a timely manner, the plan would have to also establish regional sites.

A 6-member legislative subcommittee would be established to advise the Commissioner of Education in developing the plan. The subcommittee would consist of members of the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on Health and Human Services. The commissioner and subcommittee would use the services of outside consultants from national organizations in reviewing the current system and developing the reorganization plan.

The commissioner would report to the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on Health and Human Services by January 15, 2002. The report would be required to include the proposed reorganization plan and provide for implementation by July 1, 2002. The report would address transition issues and contain proposed implementing legislation. The joint standing committees would be authorized to introduce legislation to the Second Regular Session of the 120th Legislature to implement the plan.

The amendment proposed to add an appropriation section and a fiscal note to the bill.

Committee Amendment "B" (H-663) is the minority report on the bill. The amendment proposed to replace the bill and make it a resolve. It proposed to direct the Commissioner of Education's provider-director workgroup and

Joint Standing Committee on Health and Human Services

the Maine Advisory Council on the Education of Children with Disabilities to collaborate in the review of delivery of services to children with disabilities from birth to under 6 years of age and to report to the Commissioner of Education with a preliminary report by October 10, 2001 and with a final report by January 10, 2002. The report would be required to address improved quality and consistency of services, professional development needs and ways to improve interagency coordination and collaboration.

The amendment would direct the Commissioner of Education in collaboration with the National Conference of State Legislatures, appropriate state agencies and legislative agencies and other qualified entities to conduct a survey of the families receiving services under the Child Development Services System and of the contract providers under that system. The survey would be required to address all aspects of the system and result in identification of information necessary to develop recommendations concerning whether and how the system needs to be revised.

Finally the amendment proposed to direct the commissioner to report to the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on Health and Human Services by January, 2000 on the results of the collaboration of the provider-director workgroup and the Maine Advisory Council on the Education of Children with Disabilities and the survey. The committee would be authorized to introduce legislation next session.

It proposed to add a fiscal note to the bill.

Committee Amendment "A" (H-662) passed in the House. The Senate indefinitely postponed the bill. The bill died between bodies.

LD 820 **An Act to Require a Public Hearing on Hospital Certificate of Need Proposals** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BOUFFARD NUTTING J	ONTP	

LD 820 proposed to require the department to advertise and hold a public hearing at which an applicant for a certificate of need for the construction or modification of health care facilities would present information about the proposal and the public would be allowed to present testimony.

LD 853 **An Act to Ensure Access to Assisted Living Services Programs** **P & S 36
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KANE GAGNON	OTP-AM	H-489 H-508 KANE S-392 GOLDTHWAIT

LD 853 proposed to direct the Department of Human Services to develop assisted living services programs in six sites around the State. It proposed to provide funding for the sites, for a 1/2 year and then for a full year.