

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
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

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.

Joint Standing Committee on Health and Human Services

This bill also proposed to establish the Commission to Study Assisted Living to study assisted living options for the State in order to develop high-quality, cost-effective programs to serve the assisted living residential and service program needs of the growing population of elderly and disabled persons in appropriate community center locations across the State.

Committee Amendment "A" (H-489) proposed to remove provisions of the bill calling for the development of 6 assisted living programs and the necessary appropriation. It proposed to add language to the study relating to housing and services that enable persons who are elderly and disabled to remain in their homes as their need for services increases. It proposed to add an appropriation section and a fiscal note to the bill.

House Amendment "A" to Committee Amendment "A" (H-508) proposed to increase the representation on the commission of assisted living services providers from one to two and require the commission to study and propose changes to the methods of delivery of assisted living services in the State.

Senate Amendment "A" (S-392) proposed to increase the membership to 21 members, move the starting date to August 15, 2001 and require the report to be submitted by December 5, 2001.

Enacted law summary

Private and Special Law 2001, chapter 36 establishes the 21 member Commission to Study Assisted Living to study assisted living options and report to the Joint Standing Committee on Health and Human Services by December 5, 2001.

Enacted as an emergency, this law takes effect June 27, 2001.

LD 863

Resolve, to Establish Crisis Assessment and Triage Centers for Children in the State

CARRIED OVER

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

LD 863 proposed to direct the Department of Human Services and the Department of Mental Health, Mental Retardation and Substance Abuse Services to establish crisis assessment and triage centers to help keep children in crisis situations in their community and stop children who need services from being sent out of state for treatment.

This bill was carried over to the Second Regular Session of the 120th Legislature.