

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature coming from the

JOINT STANDING COMMITTEE ON HEALTH AND HUMAN SERVICES

July 2007

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STATE OF MAINE

123RD LEGISLATURE

FIRST REGULAR SESSION

LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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 (or Accepted ONTP report).....	Ought Not To Pass report accepted
OTP-ND.....	Committee report Ought To Pass In New Draft
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED.....	Joint Order passed in both bodies
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 that the effective date for non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Health and Human Services

This bill establishes a 30-day residency requirement for general assistance benefits.

LD 29 An Act To Amend the Laws Governing Welfare

PUBLIC 282

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAUDOIN	OTP-AM	H-351

This bill, presented as a concept draft pursuant to Joint Rule 208, proposes to amend the current law dealing with welfare recipients. The bill will require able-bodied welfare recipients to work with town officials and municipal officers to seek meaningful employment and will require them to work or volunteer in order to receive their welfare benefits.

Committee Amendment "A" (H-351)

This amendment replaces the bill and requires the Department of Health and Human Services to report to the Legislature a summary of the federal laws enacted in the previous fiscal year that may require changes in the ASPIRE-TANF program. It requires the department to report the potential impact of those federal law changes on the State's TANF program and the ASPIRE-TANF program. It repeals a requirement for the department to provide a report that compares Maine benefits under these programs to the benefits in other New England states.

Enacted Law Summary

Public Law 2007, chapter 282 replaces the bill and requires the Department of Health and Human Services to report to the Legislature a summary of the federal laws enacted in the previous fiscal year that may require changes in the ASPIRE-TANF program. It requires the department to report the potential impact of those federal law changes on the State's TANF program and the ASPIRE-TANF program. It repeals a requirement for the department to provide a report that compares Maine benefits under these programs to the benefits in other New England states.

LD 37 Resolve, Regarding Legislative Review of Portions of MaineCare Benefits Manual, Chapter III, Section 50, Principles of Reimbursement for Intermediate Care Facilities for Persons with Mental Retardation, a Major Substantive Rule of the Department of Health and Human Services, Office of MaineCare Services

RESOLVE 44
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-217

This resolve provides for legislative review of portions of MaineCare Benefits Manual, Chapter III, Section 50, Principles of Reimbursement for Intermediate Care Facilities for Persons with Mental Retardation, a major substantive rule of the Department of Health and Human Services, Office of MaineCare Services.

Committee Amendment "A" (H-217)

This amendment amends the resolve to provide approval of the provisionally adopted major substantive rules on reimbursement for intermediate care facilities for persons with mental retardation if certain enumerated changes are made to the rules.

Joint Standing Committee on Health and Human Services

Enacted Law Summary

Resolve 2007, chapter 44 approves major substantive rules on reimbursing ICF-MR's. It allows adoption of rules on an emergency basis.

Resolve 2007, chapter 44 was enacted as an emergency measure effective May 30, 2007.

- LD 38** **Resolve, Regarding Legislative Review of Portions of Chapter 250: Rules Relating to Smoking in the Workplace, a Major Substantive Rule of the Department of Health and Human Services, Maine Center for Disease Control and Prevention, Partnership for a Tobacco-free Maine** **RESOLVE 4
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIEH	OTP	

This resolve provides for legislative review of portions of Chapter 250: Rules Relating to Smoking in the Workplace, a major substantive rule of the Department of Health and Human Services, Maine Center for Disease Control and Prevention, Partnership for a Tobacco-free Maine.

Enacted Law Summary

Resolve 2007, chapter 4 approves major substantive rules on smoking in the workplace.

Resolve 2007, chapter 4 was enacted as an emergency measure effective March 22, 2007.

- LD 39** **Resolve, Regarding Legislative Review of Portions of Regulations Governing the Licensing and Functioning of Intermediate Care Facilities for Persons with Mental Retardation, a Major Substantive Rule of the Department of Health and Human Services** **RESOLVE 33
EMERGENCY**

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

This resolve provides for legislative review of portions of Regulations Governing the Licensing and Functioning of Intermediate Care Facilities for Persons with Mental Retardation, a major substantive rule of the Department of Health and Human Services.

Enacted Law Summary

Resolve 2007, chapter 33 approves major substantive rules on licensing ICF-MR's.

Resolve 2007, chapter 33 was enacted as an emergency measure effective May 22, 2007.

- LD 40** **Resolve, Regarding Legislative Review of Portions of Chapter 100: Enforcement Procedures, a Major Substantive Rule of the Maine Health Data Organization** **RESOLVE 17
EMERGENCY**

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