

MAINE STATE LEGISLATURE

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**STATE OF MAINE
116TH LEGISLATURE**

FIRST REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
HUMAN RESOURCES**

JULY 1993

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

JULY 1993

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>ONTP</i>	<i>Ought Not to Pass report accepted</i>
<i>ENACTMENT FAILED</i>	<i>Bill failed to get majority vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference formed but unable to agree</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin.

If you have any suggestions or comments on these summaries, please let us know.

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SPONSOR(S)
TOWNSEND G

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-190
H-206 KONTOS

SUMMARY

This bill makes several changes to the Maine Revised Statutes, Title 22, chapter 1057 regarding the prevention of child abuse and neglect. The bill renames the community coordinating committees the child abuse and neglect councils, using the name the organizations are known by locally. The bill also requires that there be a child abuse and neglect council in every county, and that the Department of Human Services in coordination with the Maine Association of Child Abuse and Neglect Councils develop a child abuse and neglect prevention plan.

Amendment H-190 clarifies that, although the bill requires that each county have a child abuse and neglect council, it does not require the Department of Human Services to fully fund each council's activities.

Amendment H-206 corrects a technical format error in the bill.

See also LD 493.

LD 904**An Act to Protect Maine Citizens From the Effects of Environmental Tobacco Smoke**

SPONSOR(S)
SIMONDS
PARADIS J

COMMITTEE REPORT
OTP-AM MAJ
ONTP MIN

AMENDMENTS ADOPTED
H-358
S-232 PARADIS J

SUMMARY

This bill prohibits smoking in enclosed areas of buildings into which members of the public are invited or permitted and in rest rooms that are available for public use. This bill repeals those portions of existing law that are rendered superfluous by the bill. Smoking in restaurants, work places and hospitals continues to be governed by separate law specific to those settings.

Amendment H-358 changes the original bill in the following ways.

1. It clarifies that the bill regulates only tobacco smoke, not other kinds of smoke;
2. It clarifies that taverns and lounges, which are not regulated by the bill, are enclosed facilities that derive more than 1/2 of their revenue from alcohol sales and entertainment fees;
3. It deletes a reference to Native Americans;
4. It allows smoking in a private office when all persons in the office consent; and
5. It allows smoking at beano or bingo games.

Amendment S-232 makes the following additional changes.

1. It removes the definition of tavern or lounge and clarifies that the prohibition does not apply to taverns or lounges.
2. It exempts from the prohibition a private office that consists of an enclosed work area for one person.
3. It deletes the provision that allowed municipalities to establish stricter smoking standards that those established by the bill.
4. It adds exemptions for smoke shops and chartered buses.
5. It clarifies that school boards and school employees retain collective bargaining rights with respect to the establishment of designated smoking areas.
6. It preserves collective bargaining rights for public employees by incorporating into the Maine Revised Statutes, Title 22, section 1542, subsection 2, paragraph E language found currently in Title 22, section 1578-A, subsection 4.

LD 909 An Act to Increase the Mileage Payment for Foster Families ONTP

SPONSOR(S)
GEAN

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

This bill requires that foster parents be reimbursed for travel expenses at a rate of at least 30¢ per mile.

LD 947 An Act to Expand the Rights of People with Mental Illness or Mental Retardation ONTP

SPONSOR(S)
BALDACCI

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

This bill requires the Department of Mental Health and Mental Retardation to obtain informed consent from residents before discharging them from the Augusta Mental Health Institute, the Bangor Mental Health Institute or Pineland Center. If a resident is not able to give informed consent, it must be obtained from the guardian, a family member or a friend.

The bill also requires the Commissioner of Mental Health and Mental Retardation to examine admission policies at the state institutions and amend them, if necessary, to ensure that people who need institutional services are not refused admission. The bill also declares the Legislature's intent to cease the policy of deinstitutionalization until the Commissioner of Mental Health and Mental Retardation determines that adequate community resources have been developed.