

MAINE STATE LEGISLATURE

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**STATE OF MAINE
118TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
HEALTH AND HUMAN SERVICES**

JULY 1997

MEMBERS:

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Sen. Susan W. Longley

Sen. Betty Lou Mitchell

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ONE HUNDRED EIGHTEENTH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees
August 1997

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. 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 handled by the joint standing committees. It is organized alphabetically 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:

<i>CARRIED OVER</i>	<i>Bill carried over to Second Regular Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

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

Sponsor(s)Committee ReportAmendments Adopted

LD 1893 is the report of the Joint Standing Committee on Health and Human Services. It would require a home day care provider who cares for more than 2 unrelated children under 13 years of age to be certified and a day care center to be licensed and directs the Commissioner of Human Services to adopt rules regulating home day care providers and day care centers. It would allow a home day care provider to care for children in the custody of the provider in addition to those children counted as day care children. It proposed to amend current law on day care facilities by renaming them day care centers and lowering the age of the children cared for from under 16 years of age to under 13 years of age. It would have required the Office of the State Fire Marshal to inspect a day care center, nursery school or premises of a certified home day care provider at least every 2 years. It would require uncertified providers of care for one or 2 children whose care is paid for by state or federal funds to pass a background check, a check for involvement with child protective services and a motor vehicle record check. It would require the Department of Human Services to provide information to those providers about health and safety, physical premises safety and training opportunities in health and safety, first aid and cardiopulmonary resuscitation and early care and education. It would allow the department to inspect the site and added a fiscal note.

Enacted law summary

Public Law 1997, chapter 494 requires a home day care provider who cares for more than 2 unrelated children under 13 years of age to be certified and a day care center to be licensed and directs the Commissioner of Human Services to adopt rules regulating home day care providers and day care centers. It allows a home day care provider to care for children in the custody of the provider in addition to those children counted as day care children. It amends current law on day care facilities by renaming them day care centers and lowering the age of the children cared for from under 16 years of age to under 13 years of age. It requires the Office of the State Fire Marshal to inspect a day care center, nursery school or premises of a certified home day care provider at least every 2 years. It requires uncertified providers of care for one or 2 children whose care is paid for by state or federal funds to pass a background check, a check for involvement with child protective services and a motor vehicle record check. It requires the Department of Human Services to provide information to those providers about health and safety, physical premises safety and training opportunities in health and safety, first aid and cardiopulmonary resuscitation and early care and education. It allows the department to inspect the site.

Sponsor(s)Committee ReportAmendments Adopted

LD 1896, the committee report, proposed to establish the Temporary Assistance for Needy Families program, TANF, to replace the Aid for Families with Dependent Children, AFDC, that is administered by the Department of Human Services. Federal participation in the AFDC program ended with the passage of federal welfare reform legislation, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, 110 Stat. 2105. The bill proposed to do the following.