

# MAINE STATE LEGISLATURE

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*State Of Maine  
122nd Legislature*

*First Regular Session and  
First Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Health and Human Services*

*August 2005*

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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 June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

*Joint Standing Committee on Health and Human Services*

**LD 1186**

**An Act To Clarify the Smoking Ban for Off-track Betting Facilities**

**PUBLIC 362**

<u>Sponsor(s)</u> HOTHAM	<u>Committee Report</u> ONTP      MAJ OTP-AM    MIN	<u>Amendments Adopted</u> H-528
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LD 1186 proposed to clarify the ban on smoking in off-track betting and simulcast racing facilities licensed after June 30, 2003, allowing existing facilities to move or be sold and without losing their exemption from the smoking ban.

***Enacted law summary***

Public Law 2005, chapter 362 clarifies the ban on smoking in off-track betting and simulcast racing facilities licensed after June 30, 2003, allowing existing facilities to move or be sold without losing their exemption from the smoking ban. The law allows off-track betting facilities and simulcast racing facilities that were in operation on June 30, 2003 to be purchased or moved to a new location within the same municipality without losing their exemption from the laws prohibiting smoking in public places. The law places limits on the size of the smoking area in the newly purchased or relocated off-track betting or simulcast racing facilities, prohibits slot machines in those facilities and requires that the off-track betting or simulcast racing facility be in a separately enclosed area.

**LD 1206**

**Resolve, To Fund a Group Home for Young Adults with Disabilities in Southern Maine**

**ONTP**

<u>Sponsor(s)</u> HOBBINS MERRILL	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1206 proposed to direct the Department of Health and Human Services to establish a facility in southern Maine to serve as a residential facility for young adults who are in need of continuous care to treat their physical disabilities and who would otherwise be eligible for treatment in a nursing facility. The resolve proposed to direct the department to seek to establish and operate this facility within existing resources but authorizes the department to seek an appropriation should existing resources not be sufficient. It further proposed to direct the department to report on the status of the residential facility, its costs and the extent to which it can be used as a model to develop additional community placements for disabled individuals.

**LD 1208**

**Resolve, Regarding the Prevention of Suicide**

**CARRIED OVER**

<u>Sponsor(s)</u> SCHNEIDER MILLER	<u>Committee Report</u>	<u>Amendments Adopted</u> S-308
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LD 1208 proposed to establish a working group to study the high rate of suicide in Maine. The working group would submit its report to the Joint Standing Committee on Health and Human Services by December 7, 2005.