

# MAINE STATE LEGISLATURE

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MAJORITY  
HEALTH AND HUMAN SERVICES

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
120TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 305, L.D. 383, Bill, "An Act to Limit Smoking by Foster Parents"

Amend the bill by striking out all of the emergency preamble.

Further amend the bill in section 1 in that part designated "~~§1580-E.~~" by striking out all of subsection 2 and inserting in its place the following:

'2. Vehicle prohibition. A foster parent is prohibited from smoking in that foster parent's private vehicle that is used for transporting the foster child and may not allow any other person to smoke in that vehicle when a foster child is in that foster parent's care, even if the child is not in the vehicle.'

Further amend the bill by striking out all of section 2 and inserting in its place the following:

**'Sec. 2. Licensing rules.** The Department of Human Services shall amend the foster home licensing rules to prohibit smoking in family foster homes effective July 1, 2002. The department shall adopt procedures for responding to and revoking the license of foster homes where smoking is taking place. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A.

**Sec. 3. Effective date.** This Act takes effect July 1, 2002.'

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COMMITTEE AMENDMENT "A" to H.P. 305, L.D. 383

2 Further amend the bill by striking out all of the emergency  
clause.

4 Further amend the bill by inserting at the end before the  
summary the following:

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**FISCAL NOTE**

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The Bureau of Child and Family Services within the Department of Human Services will incur some minor additional costs to amend the rules of foster home licensing to prohibit smoking in family foster homes and to adopt procedures for responding to and revoking the license of foster homes where smoking is taking place. These costs can be absorbed within the bureau's existing budgeted resources.'

**SUMMARY**

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This amendment is the majority report of the committee. It adds an effective date of July 1, 2002 and clarifies that the car of the foster parent in which smoking is prohibited is the car in which the foster child is transported. The amendment also removes the emergency preamble and emergency clause. The amendment also adds a fiscal note.

**COMMITTEE AMENDMENT**