MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 55

H.P. 63

House of Representatives, January 16, 2003

An Act to Keep Foster Children Safe and Healthy

Reference to the Committee on Health and Human Services suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative LAVERRIERE-BOUCHER of Biddeford.
Cosponsored by Senator BRENNAN of Cumberland and
Representatives: CANAVAN of Waterville, CRAVEN of Lewiston, KANE of Saco,
MARLEY of Portland, MARRACHÉ of Waterville, PATRICK of Rumford, SULLIVAN of
Biddeford, Senator: HALL of Lincoln.

	Be it enacted by the People of the State of Maine as follows:
2	Sec. 1. 22 MRSA §1580-E is enacted to read:
4	
	§1580-E. Smoking by foster parents
6	
	1. Residence prohibition. Smoking, as defined in section
8	1580-B, subsection 1, paragraph B, is prohibited in a private
	residence if that residence is a family foster home, as defined
10	in section 8101, subsection 3, where a foster child is living.
12	2. Vehicle prohibition. A foster parent is prohibited from
14	smoking in that foster parent's private vehicle and may not allow
14	any other person to smoke in that foster parent's private vehicle
	when a foster child is in that foster parent's care.
16	
	Sec. 2. Licensing rules. By January 1, 2004, the Department of
18	Human Services shall amend the foster home licensing rules to
	prohibit smoking in family foster homes. The department shall
20	adopt procedures for revoking the license of a foster home where
	smoking is taking place in the home or in the foster parent's
22	private vehicle. Rules adopted pursuant to this section are
	routine technical rules as defined in the Maine Revised Statutes,
24	Title 5, chapter 375, subchapter 2-A.
26	
	SUMMARY
28	
	This bill prohibits smoking in a family foster home where a
30	foster child is living and prohibits foster parents from smoking
	in their private vehicles.