

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE**

**SECOND REGULAR SESSION**  
**January 2, 2002 to April 25, 2002**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 25, 2002**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

---

---

**J.S. McCarthy Company**  
**Augusta, Maine**  
**2002**

(9) State Planning Office, except for the Land for Maine's Future Board, in 2004-2007.

See title page for effective date.

**CHAPTER 598**

**H.P. 1665 - L.D. 2170**

**An Act to Ensure Maine Citizens in Recovery from Drug Addiction Equal Access to Public Assistance**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 22 MRSA §3104, sub-§14** is enacted to read:

**14. Prohibition against denial of assistance based on drug conviction.** A person who is otherwise eligible to receive food assistance under the federal Food Stamp Act of 1977, 7 United States Code, Sections 2011 to 2036 may not be denied assistance because the person has been convicted of a drug-related felony as described in the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, Section 115, 110 Stat. 2105.

**Sec. 2. 22 MRSA §3762, sub-§17** is enacted to read:

**17. Prohibition against denial of assistance based on drug conviction.** A person who is otherwise eligible to receive TANF may not be denied assistance because the person has been convicted of a drug-related felony as described in Section 115 of PRWORA.

See title page for effective date.

**CHAPTER 599**

**H.P. 1107 - L.D. 1476**

**An Act to Amend the Laws of the Board of Barbering and Cosmetology**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 32 MRSA §14211-A, sub-§1**, as amended by PL 1999, c. 687, Pt. E, §14, is further amended to read:

**1. Membership.** The Board of Barbering and Cosmetology, as established by Title 5, section

12004-A, subsection 6, consists of 9 members appointed by the Governor. Two members must be representatives of the public; ~~3~~ 2 must be licensed and practicing cosmetologists; 2 ~~one~~ must be a licensed and practicing ~~barbers~~ barber; one must be a licensed instructor ~~having that has at least 3 years of instructing experience and no current affiliation with any school currently licensed in the State; and one must be the owner of a school licensed barbering or cosmetology school by the board; one must be a licensed and practicing manicurist; and one must be a licensed and practicing aesthetician.~~

**Sec. 2. 32 MRSA §14212, sub-§11**, as enacted by PL 1997, c. 771, §9, is amended to read:

**11. Inspections.** The board or its agents or assistants shall ~~inspect each establishment~~ conduct random inspections of licensed establishments and booths as considered necessary for compliance with the applicable requirements of this subchapter chapter and the applicable rules of the board adopted pursuant to this subchapter chapter. ~~Each establishment must be inspected at least once a year for compliance with the applicable laws and rules relating to the public health and safety and the conduct and operation of establishments.~~

**Sec. 3. Transition; change in board composition.** Notwithstanding the Maine Revised Statutes, Title 32, section 14211-A, subsection 1, members of the Board of Barbering and Cosmetology on January 1, 2002 may remain members of that board until the completion of their terms. As board positions become vacant, members must be appointed in accordance with the changes to the composition of the board required by Title 32, section 14211-A, subsection 1, as amended by this Act.

See title page for effective date.

**CHAPTER 600**

**S.P. 461 - L.D. 1514**

**An Act to Ensure Fairness in the Regulation and Reimbursement of Nursing Facilities**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 22 MRSA §1812-H, sub-§2-B** is enacted to read:

**2-B. Implementation.** Notwithstanding any provision of this section to the contrary, a nursing facility may decline to admit a prospective resident after an evaluation of the person's clinical condition and related care needs and a determination that the