

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
115TH LEGISLATURE**

**FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
HUMAN RESOURCES**

**AUGUST 1991**

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE  
FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION  
JOINT STANDING COMMITTEE  
BILL SUMMARIES  
AUGUST 1991**

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H - 584 or S - 222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

<b>PUBLIC XXX</b>	<i>Chapter # of enacted Public Law</i>
<b>P&amp;S XXX</b>	<i>Chapter # of enacted Private &amp; Special Law</i>
<b>RESOLVE XXX</b>	<i>Chapter # of enacted Resolve</i>
<b>CON RES XXX</b>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<b>EMERGENCY</b>	<i>Enacted law takes effect sooner than 90 days</i>
<b>CARRIED OVER</b>	<i>Bill carried over to 2nd Session</i>
<b>FAILED EMERGENCY ENACTMENT</b>	<i>Bill failed to get 2/3 vote</i>
<b>ONTP</b>	<i>Ought Not to Pass report accepted</i>
<b>LVWD</b>	<i>Leave to Withdraw report accepted</i>
<b>INDEF PP</b>	<i>Bill Indefinitely Postponed</i>
<b>DIED BETWEEN BODIES</b>	<i>House &amp; Senate disagree; bill died</i>
<b>VETO SUSTAINED</b>	<i>Legislature failed to override Governor's Veto</i>
<b>UNSIGNED</b>	<i>Not signed by Governor within 10 days</i>
<b>DIED ON ADJOURNMENT</b>	<i>Action incomplete when 1st session ended</i>

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

**LD 1132 An Act to Permit Timely Certificate of Need Approval of Hospital Projects Identified as Urgent**

**LV/MD**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
MILLS	LV/WD	

**SUMMARY**

Under existing law, all so-called major hospital projects must be grouped for a one-time annual review within the constraints of the Certificate of Need Development Account. Projects that were identified by the Department of Human Services as "urgent and compelling" for which insufficient funds remain in the account must be deferred for an additional year and again face competitive review. This bill permits those projects that have already been identified as urgent and compelling to be approved immediately upon the recrediting of funds to the Certificate of Need Development Account.

**LD 1134 An Act to Protect Citizens from the Effects of Environmental Tobacco Smoke**

**ONTP-MIN REP**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
MATTHEWS	OTP-AM MAJ	
PINES	ONTP MIN	
HEESCHEN		
DUPLESSIS		

**SUMMARY**

Effective January 1, 1992, this bill replaces several specific smoking prohibitions with a general ban on smoking in enclosed areas of public places. The bill retains current law with regard to smoking in restaurants and in the workplace.

Committee Amendment "A" repeals the entire bill and substitutes a simpler, narrower proposal that prohibits smoking in enclosed areas of buildings to which members of the public are invited or permitted to be and in rest rooms which are available for public use. Among the exceptions made to the prohibition are taverns and lounges, private offices, small owner-operated stores, beano games and civil auditoriums. Restaurants, hospitals and the work place continue to be governed by their own laws. Those portions of existing law which are duplicative and which would be superfluous if this proposal were enacted, are repealed. Enforcement by the Department of Human Services is removed, leaving to the court system the enforcement of the law. The Department of Human Services is charged with enforcement activities.

**LD 1146 An Act to Increase the Collection of Child Support Payments**

**PUBLIC 295  
EMERGENCY**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
ERWIN	OTP-AM	H-342
BUSTIN		
GILL		
KETOVER		

**SUMMARY**

This bill enhances child support collection efforts by directing the Department of Human Services to claim state tax refunds and lottery winnings of persons who owe the State for child support obligations. The bill also authorizes the Department of Human Services to use private collection agencies for the purpose of collecting child support.

Committee Amendment "A" (H-342) clarifies that only liquidated child support debts must be forwarded to the Department of Finance, Bureau of Lottery and the Tri-State Lottery Commission for setoff against lottery winnings and that prior to offset the Bureau of Lottery or the Tri-State Lottery Commission shall provide notice to winners. The amendment eliminates provisions in the bill that allow the Department of Human Services to use private collection agencies to collect child support debts. It also eliminates a redundant section that requires the Department of Human Services to notify the State Tax Assessor of child support debts. A similar provision currently exists in the statutes. The amendment adds an emergency preamble, emergency clause and fiscal note to the bill.

**LD 1147      An Act to Change the Title of the Office of Dental Health      PUBLIC 152**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
DUPLESSIS CONLEY LUDWIG	OTP-AM	H-163

**SUMMARY**

This bill changes the name of the Department of Human Services, Office of Dental Health, to the Division of Dental Health.

Committee Amendment "A" (H-163) adds a fiscal note to the bill.

**LD 1156      An Act to Extend the Reporting Deadline of the Commission to Study the Certificate of Need Law and the Impact of Competitive Market Forces on Ambulatory Health Services      PUBLIC 120  
EMERGENCY**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
GAUVREAU	OTP	

**SUMMARY**

This bill extends the final reporting date for the Commission to Study the Certificate of Need Law and the Impact of Competitive Market Forces on Ambulatory Health Services.

**LD 1182      An Act to Continue the Demonstration Project Serving Victims of Alzheimer's Disease in the State      ONTP**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
PEARSON MARTIN J MACBRIDE MAHANY	ONTP	

**SUMMARY**

This bill provides funds to the Department of Human Services to continue an Alzheimer's demonstration project through the Aroostook Medical Center.