# MAINE STATE LEGISLATURE

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## STATE OF MAINE 116TH LEGISLATURE

#### SECOND REGULAR SESSION

# BILL SUMMARIES JOINT STANDING COMMITTEE ON HUMAN RESOURCES

**MAY 1994** 

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#### ONE HUNDRED AND SIXTEENTH LEGISLATURE SECOND REGULAR SESSION

# JOINT STANDING COMMITTEE BILL SUMMARIES

#### **MAY 1994**

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.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number, 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:

**PUBLIC XXX** Chapter # of enacted Public Law P&S XXX Chapter # of enacted Private & Special Law RESOLVE XXX Chapter # of enacted Resolve **CON RES XXX** Chapter # of Constitutional Resolution passed by both Houses **EMERGENCY** Enacted law takes effect sooner than 90 days **ONTP** Ought Not to Pass report accepted INDEF PP Bill Indefinitely Postponed FAILED ENACTMENT Bill failed to get majority vote Emergency bill failed to get 2/3 vote FAILED EMERGENCY ENACTMENT Bill imposing local mandate failed to get 2/3 vote FAILED MANDATE ENACTMENT DIED BETWEEN BODIES House & Senate disagree; bill died Committee of Conference unable to agree; bill died CONF CMTE UNABLE TO AGREE **VETO SUSTAINED** Legislature failed to override Governor's Veto UNSIGNED Not signed by Governor within 10 days DIED ON ADJOURNMENT Action incomplete when session ended; bill died

These summaries were prepared by the analyst or analysts assigned to the committee. If you have any suggestions or comments on the summaries, please let us know.

5581LHS

It reinstitutes the Driver Education and Evaluation Programs Board of Appeals within the Office of Substance Abuse.

It clarifies the Driver Education and Evaluation Programs definition of "alcohol-related or drug-related motor vehicle incident."

It allows first offenders who have enrolled in Driver Education and Evaluation Programs to be eligible for a special license after expiration of the total period of suspension if they have attended 3 treatment counseling sessions from a counselor or agency approved by the Office of Substance Abuse.

COMMITTEE AMENDMENT A (H-869) clarifies which other drugs become aggravating factors under the bill. Under current law, a first offender of an alcohol-related driving offense is treated like a subsequent offender when the case includes an aggravating factor. The original bill added as an aggravating factor the presence of a drug in a blood or urine test. The amendment clarifies that the drug must be a scheduled drug. The amendment also adds a fiscal note to the bill and conforms existing law to current drafting standards.

#### LD 1875

An Act to Authorize and Regulate the Integrated Delivery of Services by the Licensed Acute Care Hospitals in the City of Portland

ONTP

SPONSOR(S)

**COMMITTEE REPORT** 

**AMENDMENTS ADOPTED** 

BRANNIGAN

ONTP

#### SUMMARY

This bill authorizes the establishment of an integrated delivery system by the 3 acute care hospitals located in Portland and establishes a separate system by which the Maine Health Care Finance Commission will regulate revenues for services provided through the integrated delivery system. The bill also exempts reallocations of services and assets within the integrated delivery system from the certificate of need process.

#### LD 1882

Resolve, to Establish Minimum Standards for Adult and Family Shelters in the State

RESOLVE 64

SPONSOR(S)

COMMITTEE REPORT

**AMENDMENTS ADOPTED** 

GEAN

OTP-AM

H-829

#### SUMMARY

This resolve directs the Interagency Task Force on Homelessness and Housing Opportunities to convene a working group to recommend standards for the operation of adult and family shelters in the State and to submit its recommendations to the 117th Legislature.

COMMITTEE AMENDMENT A (H-829) clarifies that the working group must include representatives from the Department of Mental Health and Mental Retardation, the Department of Human Services, the Maine State Housing Authority and the Office of Substance Abuse. The amendment also adds a fiscal note to the resolve.

#### LD 1905

An Act to Amend the General Assistance Standard of Need

DIED BETWEEN

**BODIES** 

SPONSOR(S)

**COMMITTEE REPORT** 

**AMENDMENTS ADOPTED** 

PENDLETON

OTP-AM

H-863

#### **SUMMARY**

This bill changes the standard of need for general assistance from the standard applied by the United States Department of Housing and Urban Development fair market rental values to the standard in effect on July 1, 1993. This bill also corrects the standard of calculation for metropolitan areas, which was intended to be subject to the 110% of average fair market value coefficient.

COMMITTEE AMENDMENT A (H-863) makes the same change in the housing fair market standard as proposed in the original bill but repeals the change on July 1, 1995. The amendment also adds a mandate preamble, an emergency preamble, an emergency clause and a fiscal note to the bill.

LD 1929 Resolve, to Effect the Health and Social Services
Transition Team's Recommended Reorganization of the
Department of Human Services and the Department of Mental
Health and Mental Retardation into a Single Department of
Health, Children and Family Services

ONTP

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

AMERO

ONTP

#### **SUMMARY**

This resolve consolidates the Department of Human Services, the Department of Mental Health and Mental Retardation and the Office of Substance Abuse into the Department of Health, Children and Family Services.

#### LD 1945 An Act to Amend the Public Smoking Laws

VETO SUSTAINED

SPONSOR(S)

COMMITTEE REPORT

**AMENDMENTS ADOPTED** 

CONLEY

OTP-AM

S-488

S-560 PARADIS J

#### **SUMMARY**

This bill exempts pool halls or billiard parlors from the prohibition on public smoking. The bill also clarifies the application of the public smoking law to mixed-use facilities. If smoking is permitted for one of the activities conducted within a single enclosed area, then smoking is permitted throughout the entire enclosed area.

COMMITTEE AMENDMENT A (S-488) exempts pool halls from the smoking laws, but only if they serve alcoholic beverages for consumption on the premises and prohibit minors from the area in which smoking is allowed. The amendment also reverses the original bill on the issue of mixed use facilities. The original bill applied the least restrictive smoking standard to areas where more than one activity takes place. The amendment applies the most restrictive smoking standard to those areas. The amendment strengthens enforcement of the smoking laws by increasing the maximum penalty for subsequent offenses to \$500. Currently, the maximum for any offense is \$100. The amendment also adds a fiscal note to the bill.

SENATE AMENDMENT D (S-560) amends the committee amendment to remove the provision governing smoking in mixed-use areas. This amendment also removes language from the committee amendment concerning the court's ability to issue injunctions or contempt orders for continued violations of the smoking laws.