

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
118TH LEGISLATURE**

**FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
HEALTH AND HUMAN SERVICES**

**JULY 1997**

***MEMBERS:***

***Sen. Judy Paradis, Chair***

***Sen. Susan W. Longley***

***Sen. Betty Lou Mitchell***

***Rep. J. Elizabeth Mitchell, Chair***

***Rep. Joseph E. Brooks***

***Rep. Elaine Fuller***

***Rep. Thomas J. Kane***

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***Rep. Lois A. Snowe-Mello***

***Staff:***

***Jane Orbeton, Legislative Analyst***

***Office of Policy and Legal Analysis***

***Room 101/107/135, 13 State House Station***

***Augusta, ME 04333***

***(207)287-1670***



**Maine State Legislature**

**OFFICE OF POLICY AND LEGAL ANALYSIS**

13 State House Station, Augusta, Maine 04333-0013  
Telephone: (207) 287-1670  
Fax: (207) 287-1275

**ONE HUNDRED EIGHTEENTH LEGISLATURE  
FIRST REGULAR AND FIRST SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees  
August 1997**

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet ([www.state.me.us/legis/opla](http://www.state.me.us/legis/opla)).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

- CARRIED OVER*.....*Bill carried over to Second Regular Session*
- CON RES XXX*.....*Chapter # of Constitutional Resolution passed by both Houses*
- CONF CMTE UNABLE TO AGREE*.....*Committee of Conference unable to agree; bill died*
- DIED BETWEEN BODIES*.....*House & Senate disagree; bill died*
- DIED IN CONCURRENCE*.....*One body accepts ONTP report; the other indefinitely postpones the bill*
- DIED ON ADJOURNMENT*.....*Action incomplete when session ended; bill died*
- EMERGENCY*.....*Enacted law takes effect sooner than 90 days*
- FAILED EMERGENCY ENACTMENT/FINAL PASSAGE*.....*Emergency bill failed to get 2/3 vote*
- FAILED ENACTMENT/FINAL PASSAGE*.....*Bill failed to get majority vote*
- FAILED MANDATE ENACTMENT*.....*Bill imposing local mandate failed to get 2/3 vote*
- INDEF PP*.....*Bill Indefinitely Postponed*
- ONTP*.....*Ought Not To Pass report accepted*
- OTP ND*.....*Committee report Ought To Pass In New Draft*
- OTP ND/NT*.....*Committee report Ought To Pass In New Draft/New Title*
- P&S XXX*.....*Chapter # of enacted Private & Special Law*
- PUBLIC XXX*.....*Chapter # of enacted Public Law*
- RESOLVE XXX*.....*Chapter # of finally passed Resolve*
- UNSIGNED*.....*Bill held by Governor*
- VETO SUSTAINED*.....*Legislature failed to override Governor's Veto*

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

*David E. Boulter, Director*

Offices Located in the State House, Rooms 101/107/135

8. Require annual reports to the Legislature on the TANF program and notification to the Legislature on applications for federal waivers.
9. Broaden the current use of the family contract between the department and the TANF recipient and home visits of TANF applicants and recipients, allow the department to verify eligibility and require information on the earned income tax credit.
10. Establish an increased earned income disregard for TANF recipients in 8 counties, funded with state funds.
11. Maintain the requirements that minor parents live in a home supervised by an adult, except in certain circumstances, and receive their benefits in voucher form.
12. Require the department to provide an alternative aid program to help families avoid TANF assistance and an emergency assistance program for help with basic necessities.
13. Require the department to provide education on nutrition, food preparation and home and money management.
14. Maintain the provisions applicable to AFDC on receipt of federal grants, payments to guardians or conservators, inalienability of assistance, parental responsibility, fraud and disbursements.
15. Changes the ASPIRE-JOBS program into the ASPIRE-TANF program, adding provisions for good cause determinations regarding domestic violence and incentives for agencies to work with families facing multiple barriers to obtaining employment.
16. Maintain the family planning peer education initiative in ASPIRE-TANF.
17. Maintain the Interdepartmental Welfare Reform Committee, changing its focus to working with businesses regarding education and job placement.
18. Change the AFDC Advisory Council into the TANF Advisory Council, adding a subcommittee on the Parents as Scholars Program and postsecondary education.

This bill establishes the Parents as Scholars Program, a separate state-funded program providing assistance to parents pursuing 2-year and 4-year postsecondary degrees and allocates and appropriates funds from state and federal sources. This law takes effect June 12, 1997.

**LD 1898**

**An Act to Discourage Smoking by Maine's Youth**

**INDEF PP**

Sponsor(s)  
CAMERON

Committee Report

Amendments Adopted

LD 1898 proposed to provide for an increase in the cigarette tax rate to 37 mills per cigarette in order to fund a Tobacco Prevention and Control Program and would have deposited the balance of the revenue generated by the increase in the cigarette tax to the tax relief fund.

See also LDs 1887 and 1888.

See also LD 1904, Public Law 1997, chapter 560.

**LD 1904**                      **An Act to Discourage Smoking, Provide Tax Relief and Improve the Health of Maine Citizens**                      **PUBLIC 560**

<u>Sponsor(s)</u> MITCHELL E		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 1904 proposed to do the following.

1. Increase the tax on cigarettes 37¢ per pack to 74¢ and create a Tobacco Tax Relief Fund to receive the revenue from the increase in the tax on cigarettes. Except for the funding of the Tobacco Prevention and Control Program, no other revenue from the increase would be expended without the recommendation of the joint standing committee of the Legislature having jurisdiction over tax matters and the approval of the Legislature.
2. Establish the Maine Commission on Children's Health Care to assess the current unmet health care needs of the children of this State and make recommendations on fulfilling those needs.
3. Establish the Children's Health Reserve Account to provide \$8,000,000 in funding for children's health services, as recommended by the State Budget Officer and approved by the Governor.
4. Establish the Tobacco Prevention and Control Program to prevent the State's youths from using tobacco products and to assist youths and adults who currently smoke cigarettes and use other tobacco products to discontinue the use of tobacco products. The program would be funded through a portion of the revenue from the increase in tax on cigarettes.
5. Establish the Task Force on Improving Access to Prescription Drugs for the Elderly to determine and recommend methods for improving access to prescription drugs for elderly citizens of the State.
6. Establish the Health Care Fund for Maine Citizens to receive any award or settlement that results from an action against the tobacco industry.

**House Amendment "A" (H-772)** proposed to replace the bill and to increase the penalties for merchants who sell tobacco to minors and the penalties for minors and who smoke in public. The amendment was not accepted.

***Enacted law summary***

Public Law 1997, chapter 560 comprises the provisions of the bill. See bill description.