

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

SECOND REGULAR SESSION

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

JULY 2000

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ONE HUNDRED NINETEENTH LEGISLATURE
SECOND REGULAR SESSION

Summary Of Legislation Before The Joint Standing Committees
July 2000

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

The document is organized for convenient reference to information on bills considered by the committees. It is organized 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).

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:

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
NOT PROPERLY BEFORE THE BODY..... Ruled out of order by the presiding officers; bill died
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 Second Regular Session (unless otherwise specified in a particular law) is August 11, 2000.

David E. Boulter, Director
Offices Located in the State House, Rooms 101 & 107

Committee Amendment "A" (S-607) proposed to replace the bill and add emergency language. It proposed to retain most of the provisions of the bill regarding the powers of Hospital Administrative District No. 1. The amendment proposed to remove the provisions of the bill that pertain to an executive committee of the board of directors. The provision pertaining to the voting lists would be repealed and reenacted to correct a numbering error in the law.

The amendment proposed to require a public informational meeting to be held prior to the directors voting on a project to be bonded. It proposed to increase the debt limitation to \$7,000,000. It proposed to amend the petition for referendum provision to lower the number of signatures required, increase the time period for collecting signatures, provide that the clerks of the municipalities verify the signatures on the petitions and change the vote from a districtwide meeting at which the vote is taken to a vote in each municipality, in the same manner as a general election. It proposed to require the referendum vote to be held within 120 days from receipt of the petition. It proposed to prohibit splitting a project for purposes of evading a requirement of law. It proposed to add a provision that subjects to referendum all bond issues in an amount of \$2,000,000 or more that are approved by the board of directors of the Hospital Administrative District after January 1, 2002.

This amendment proposed to add municipal mandate override language because of the provision that requires the clerks of the municipalities to verify the signatures on the petitions.

It also proposed to add a fiscal note to the bill.

Enacted law summary

Private and Special Law 1999, chapter 84 amends the powers of Hospital Administrative District No. 1 in Lincoln. It requires a public informational meeting to be held prior to the directors voting on a project to be bonded. It increases the debt limitation to \$7,000,000. It amends the petition for referendum provision to lower the number of signatures required, increase the time period for collecting signatures, provide that the clerks of the municipalities verify the signatures on the petitions and change the vote from a districtwide meeting at which the vote is taken to a vote in each municipality, in the same manner as a general election. It requires the referendum vote to be held within 120 days from receipt of the petition. It prohibits splitting a project for purposes of evading a requirement of law. It adds a provision that subjects to referendum all bond issues in an amount of \$2,000,000 or more that are approved by the board of directors of the Hospital Administrative District after January 1, 2002.

Private and Special Law 1999, chapter 84 was enacted as an emergency measure effective April 14, 2000.

LD 2119

An Act to Enhance Competition and Public Health

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'NEIL LAWRENCE	ONTP	

LD 2119 proposed to prohibit the free distribution of tobacco products to any person in the ordinary course of trade, business or other corporate enterprise and create a civil penalty similar to that in current law for the sale of unpackaged cigarettes. This prohibition is distinguished from another in current law that prohibits the free distribution of tobacco products to minors by any person whether that person is acting in

the course of business or not. The bill proposed to prohibit self-service displays of tobacco products except in a business establishment where the primary business is the retail sale of tobacco products. The bill also proposed to prohibit the producers of tobacco products from offering incentives as a reward for increasing sales of tobacco products. The penalty for a violation of these prohibitions would be the same as for violations of other tobacco product sales prohibitions, such as sales to minors and sales through vending machines in unlawful ways.

LD 2128 Resolve, Regarding Public Health Supervision of Dental Hygienists RESOLVE 104

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LOVETT PARADIS	OTP-AM	H-930

LD 2128 proposed to amend the laws governing the licensure of dental hygienists in the following ways.

1. It proposed to add 3 members to the Board of Dental Examiners, 2 additional dental hygienists and one additional representative of the public.
2. It proposed to set standards for the licensure of dental hygienists by the Board of Dental Examiners.
3. It proposed to increase the number of hours of continuing education that a dental hygienist must successfully complete as a condition of renewal of a license to practice.

Committee Amendment "A" (H-930) proposed to change the title and format of the bill and direct the Board of Dental Examiners to amend the rule regarding public health supervision of dental hygienists in order to provide less restrictive public health supervision of dental hygienists. The purpose of the rule change would be to encourage greater utilization of services in institutional, public health and other settings outside a dental office. Rules adopted pursuant to this provision would be designated as routine technical rules. The amendment proposed to add a fiscal note.

Enacted law summary

Resolve 1999, chapter 104 directs the Board of Dental Examiners to amend the rule regarding public health supervision of dental hygienists in order to provide less restrictive public health supervision of dental hygienists. The purpose of the rule change is to encourage greater utilization of services in institutional, public health and other settings outside a dental office. Rules adopted pursuant to this provision are designated as routine technical rules.

LD 2150 An Act to Ensure Community-based Services for Persons With ONTP
Mental Retardation or Autism

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
QUINT PARADIS	ONTP	