

# MAINE STATE LEGISLATURE

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*State Of Maine  
120th Legislature*

*First Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Health and Human Services*

*August 2001*

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**120th Legislature  
First Regular Session**

**Summary Of Legislation Before The Joint Standing Committees  
August 2001**

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 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](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*  
*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 First Regular Session (unless otherwise specified in a particular law) is **September 21, 2001**.

*David E. Boulter, Director*  
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## Joint Standing Committee on Health and Human Services

**LD 1240**                      **Resolve, Concerning Consumers of Long-term Care Services Who Have Chronic Conditions that Change**                      **ONTP**

<u>Sponsor(s)</u> LOVETT	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1240 proposed to protect consumers whose chronic medical conditions temporarily improved, thereby causing them to lose eligibility for nursing facility level care. This resolve proposed to direct the Department of Human Services to amend its rules to ensure that consumers could retain eligibility for nursing facility level care if they had moved three times in a 9-month period and had also lost such eligibility at least twice within that same time period.

**LD 1256**                      **An Act to Adopt the Charitable Choice Provision in this State**                      **ONTP**

<u>Sponsor(s)</u> MACDOUGALL MCALEVEY	<u>Committee Report</u> ONTP      MAJ OTP      MIN	<u>Amendments Adopted</u>
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LD 1256 proposed to enact into state law the charitable choice provisions of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996. The bill also proposed to authorize state agencies that provide social services to contract with faith-based organizations as defined in Section 104 of the federal Personal Responsibilities and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, 110 Stat. 2105, 42 USC 604a.

**LD 1267**                      **An Act to Discourage Sales of Tobacco to Minors**                      **ONTP**

<u>Sponsor(s)</u> SCHNEIDER BENNETT	<u>Committee Report</u> ONTP      MAJ OTP-AM    MIN	<u>Amendments Adopted</u>
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LD 1267 proposed to discourage the illegal sale of tobacco products to minors by ensuring that both the person who made the sale and the owner of the establishment were prosecuted. The bill further proposed to penalize minors for attempting to purchase tobacco and would give the court the authority to suspend the driver's license of a minor after adjudication. The bill also proposed to provide uniformity in penalties for all tobacco sellers.

**Committee Amendment "A" (H-597)**, the minority report of the committee, proposed to retain the provisions of the bill that prohibited minors from attempting to purchase tobacco products and that required fines, suspensions and revocations be applied against licensees on a per license basis. The amendment also proposed to add a fiscal note to the bill.