

# MAINE STATE LEGISLATURE

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*State Of Maine  
121st Legislature*

*First Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Health and Human Services*

*July 2003*

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# Maine State Legislature



## Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

### 121st Maine Legislature First Regular Session

#### Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint 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 arranged alphabetically by committee name 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:

<i>CARRIED OVER PURSUANT TO HP 1212</i> .....	<i>Bills carried over to the 2<sup>nd</sup> Regular Session</i>
<i>CON RES XXX</i> .....	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i> .....	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i> .....	<i>House &amp; Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i> .....	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> .....	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i> .....	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i> .....	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i> .....	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i> .....	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i> .....	<i>Ought Not To Pass report accepted</i>
<i>OTP-ND</i> .....	<i>Committee report Ought To Pass In New Draft</i>
<i>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PASSED</i> .....	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i> .....	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i> .....	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i> .....	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's Veto</i>

Please note that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

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## Joint Standing Committee on Health and Human Services

require the department to report to the Joint Standing Committee on Health and Human Services by January 30, 2004, on the length of time from application to completion of the comprehensive evaluation report for applicants for mental retardation services during calendar year 2003. The amendment proposed to add a fiscal note to the bill.

### *Enacted Law Summary*

Public Law 2003, chapter 388 changes the amount of time that the Department of Behavioral and Developmental Services has to obtain a comprehensive evaluation of an applicant for mental retardation services from 30 days to 90 days. The law requires the department to report to the Joint Standing Committee on Health and Human Services by January 30, 2004, on the length of time from application to completion of the comprehensive evaluation report for applicants for mental retardation services during calendar year 2003.

**LD 1488**                      **An Act To Extend Licensing Periods for Agencies Providing Mental Health Services**                      **PUBLIC 369**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRENNAN CRAVEN	OTP-AM	S-198

LD 1488 proposed to extend from 2 to 3 years the maximum time period for a full license to operate an agency or facility to provide mental health services.

**Committee Amendment "A" (S-198)** proposed to add a provision to the bill to specify an effective date of October 1, 2003, except that for any agency or facility that currently holds this type of license, the law would take effect after completion of the current license period. The amendment proposed to add a fiscal note to the bill.

### *Enacted Law Summary*

Public Law 2003, chapter 369 extends from 2 to 3 years the maximum time period for a full license to operate an agency or facility to provide mental health services. Public Law, chapter 369 takes effect on October 1, 2003, except that for any agency or facility that currently holds this type of license, the law takes effect after completion of the current license period.

**LD 1491**                      **An Act To Delay the Repeal of Laws Governing the State's Response to an Extreme Public Health Emergency**                      **PUBLIC 366**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PENDLETON NORBERT	OTP	

LD 1491

Currently, the State's laws regarding extreme public health emergencies and bioterrorism are scheduled to be repealed on October 31, 2003. LD 1491 proposed to extend that date to October 31, 2005.

## *Joint Standing Committee on Health and Human Services*

### ***Enacted Law Summary***

Public Law 2003, chapter 366 extends the laws on extreme public health emergencies and bioterrorism to October 31, 2005.

**LD 1516**                      **An Act To Prevent Certain Deliveries of Tobacco Products**                      **ONTP**

<u>Sponsor(s)</u> MARTIN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1516 proposed to prohibit delivery of any tobacco products that were not purchased from a tobacco retailer licensed by the State and proposed to require any person, partnership, organization or corporation to obtain a Maine retail tobacco license in order to ship tobacco products into Maine. The bill proposed to authorize the Attorney General to initiate a civil action seeking injunctive relief to restrain a person from violating the prohibition.

See also LD 1236.

**LD 1527**                      **Resolve, Regarding Legislative Review of Chapter 120: Release of Information to the Public, a Major Substantive Rule of the Maine Health Data Organization**                      **RESOLVE 54 EMERGENCY**

<u>Sponsor(s)</u>		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 1527 proposed to authorize final adoption of Chapter 120: Release of Information to the Public, a major substantive rule of the Maine Health Data Organization.

### ***Enacted Law Summary***

Resolve 2003, chapter 54 authorizes final adoption of Chapter 120: Release of Information to the Public, a major substantive rule of the Maine Health Data Organization.

Resolve 2003, chapter 54 was passed as an emergency measure effective May 30, 2003.