

# MAINE STATE LEGISLATURE

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*State Of Maine  
122nd Legislature*

*First Regular Session and  
First Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Health and Human Services*

*August 2005*

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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:

- 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 June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

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

includes the specific name, dates and location of each agricultural fair, festival and exhibition at which the license authorizes the licensee to operate. The law also establishes a fee of \$10 for each cart that a person operates during a fair season in addition to the \$50 license fee. The law also defines a "seasonal mobile tobacco vendor" as a person who sells tobacco products at more than one location during a fair season. The law requires the Department of Health and Human Services to consider the size of the retail establishment to be the square footage of the vending equipment located on the premises when determining the fee.

Public Law 2005, chapter 145 was enacted as an emergency measure effective May 20, 2005.

### **LD 950                      An Act To Allow the Shipment of Cigars into Maine                      CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PLOWMAN		

LD 950 proposed to provide exceptions for cigars to the laws governing delivery sales of tobacco products in the State.

This bill was carried over by H.P. 1203 to any special or regular session of the 122<sup>nd</sup> Legislature.

### **LD 954                      An Act To Make Fairs and Festivals Safer for Children                      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BOWEN	ONTP      MAJ OTP      MIN	

LD 954 proposed to prohibit a person from smoking while operating an amusement ride for children 12 years of age or younger.

### **LD 1013                      An Act To Improve Access to Ambulatory Diabetes Education and Follow-up                      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMITH N COWGER	ONTP	

LD 1013 proposed to direct the Department of Health and Human Services to promote a program for self-management of diabetes known as ambulatory diabetes education and follow-up and to encourage health care providers to offer the program to MaineCare members. The bill proposed to direct the department to provide reimbursement for the program on a basis that reimburses federally qualified health centers and Indian Health Service-supported centers at 100% of their costs. The bill proposed to direct the department to adopt routine technical rules.