

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
123<sup>RD</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> Maine Legislature coming from the

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

July 2007

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# STATE OF MAINE

123<sup>RD</sup> LEGISLATURE

FIRST REGULAR SESSION

## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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 (or Accepted ONTP report).....           | Ought Not To Pass report accepted                                       |
| OTP-ND.....                                   | Committee report Ought To Pass In New Draft                             |
| P&S XXX.....                                  | Chapter # of enacted Private & Special Law                              |
| PASSED.....                                   | Joint Order passed in both bodies                                       |
| 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 that the effective date for non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

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

This bill limits to \$3 the fee that the Department of Health and Human Services may charge for a check of its records to see if a person is named as substantiated child abuser and that the Department of Public Safety, State Bureau of Identification may charge for a criminal history record check of a person if the requestor is a nonprofit corporation and the person is a volunteer who may be working with a minor for the nonprofit corporation.

### **Committee Amendment "A" (H-582)**

This amendment, which was not adopted, is the minority report and incorporates a fiscal note.

**LD 1396      Resolve, To Provide for an Independent Evaluation of the Procedures and Programs of the Department of Health and Human Services for Promoting Permanency and Safety for Children**

**RESOLVE 137**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| WESTON            | OTP   MAJ<br>ONTP   MIN | S-119                     |

This resolve requires the Department of Health and Human Services, within existing resources, to contract with an independent expert or organization to study the effects of recent child care program reforms to ensure that each child's best interests are being protected and that adequate provision for each child's safety and well-being is made in the plans developed for each placement, discharge or other transition resulting from a decision made regarding the child by or on behalf of the department. The department is directed to submit its findings and any necessary implementing legislation to the Joint Standing Committee on Health and Human Services.

### **Committee Amendment "A" (S-119)**

This amendment changes the date by which the Department of Health and Human Services must report to the Joint Standing Committee on Health and Human Services from July 15, 2007 to December 1, 2007 and specifies that the committee may submit legislation to the Second Regular Session of the 123rd Legislature.

### **Enacted Law Summary**

Resolve 2007, chapter 137 requires the Department of Health and Human Services to contract with an independent expert or organization to study the effects of recent child care program reforms to ensure that each child's best interests are being protected and that adequate provision for each child's safety and well-being is made in the plans developed for each placement, discharge or other transition resulting from a decision made regarding the child by or on behalf of the department. The department is directed to submit its findings and any necessary implementing legislation to the Joint Standing Committee on Health and Human Services by December 1, 2007, which is authorized to submit legislation to the Second Session of the 123rd Legislature.

**LD 1398      An Act To Enable Restaurants To Allow Dogs In Outdoor Portions of Those Establishments**

**ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| PERRY J           | ONTP                    |                           |

This bill allows a municipality to pass an ordinance to allow an eating establishment to allow a patron to bring a dog into a designated outdoor area of the establishment. The municipal ordinance must require the eating establishment to provide detailed information regarding the designated area and follow rules concerning the handling and conduct of dogs in the designated area, including posting the rules for employees and patrons to see. This bill also provides for cooperation and communication between the municipality and the Department of Health and Human Services.