

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

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

July 2013

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*Rep. Jane P. Pringle temporarily appointed for the duration of the absence of Rep. Matthew Peterson on the Health and Human Services Committee

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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 126th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD 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 LD is noted to the right of the LD title. The following describes the various final actions.

CARRIED OVER carried over to a subsequent session of the Legislature
CON RES XXX..... chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE.....Committee of Conference unable to agree; legislation died
DIED BETWEEN HOUSES.....House & Senate disagreed; legislation died
DIED IN CONCURRENCE.....defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX.....chapter # of enacted public Law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 126th Legislature is October 9, 2013. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

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retroactive application date contained in Public Law 2013, chapter 368 regarding the number of hospital leave days and therapeutic leave days from March 25, 2013 to April 1, 2013.

See also Public Law 2013, chapter 368, page 365 for an appropriation and an allocation to fund the initiative in the bill and page 681, Part LLLLL, to apply the initiative retroactively to March 25, 2013.

Enacted Law Summary

Public Law 2013, chapter 423 changes the retroactive application date contained in Public Law 2013, chapter 368 regarding the number of hospital leave days and therapeutic leave days from March 25, 2013 to April 1, 2013.

See also Public Law 2013, chapter 368, page 365 for an appropriation and an allocation to fund the initiative in LD 1364 and page 681, Part LLLLL, to apply the initiative retroactively to March 25, 2013.

Public Law 2013, chapter 423 was enacted as an emergency measure effective July 16, 2013.

LD 1383

An Act To Improve the Delivery of Early Child Care and Education Services

**VETO
SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY CRAVEN	OTP-AM	H-464 S-362 HILL

This bill requires the Department of Health and Human Services to pay child care services at the 75th percentile of the most current local market rate survey and pay a 10% premium to providers who meet tiered quality rating standards. It requires all providers of home visiting services to collaborate to better define rules and service parameters, directs Head Start program funding to the Early Head Start program, requires the department and the Child Care Advisory Council to establish a definition of "at-risk child" for the purposes of child care eligibility and diversifies the funding and uses of the early childhood professional development registry. It contains funding appropriations for child care, home visiting and Head Start.

Committee Amendment "A" (H-464)

This amendment makes a number of changes to the bill.

1. It removes all references to the Temporary Assistance for Needy Families program from the bill.
2. It removes the section that would have required the Department of Health and Human Services to amend its rules regarding child care rates.
3. It requires, in the provision regarding home visiting services collaboration, the providers of home visiting and other home-based family services that receive funding from the department to report annually to the department and requires the department to report to the joint standing committee of the Legislature with jurisdiction over health and human services matters.
4. It replaces the section that would have directed all new Head Start program funding to the Early Head Start program with a requirement for state Head Start program funding to be targeted to the most at-risk children and families. Early Head Start program funding must be used for center-based services except when otherwise negotiated by the department.
5. It replaces the section that would have required the Child Care Advisory Council to develop a definition of "at-risk child." Instead, the council is required to make recommendations to the department regarding specific

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changes in rules or policies governing child care services. The department is required to take into account the recommendations during its rule-making process.

6. It requires the Child Care Advisory Council to include in its 2014 annual report the recommendations made to the department regarding child care services rules or policies, as well as an update on the funding and use of the early childhood professional development registry. It removes the requirement for the department to adopt rules regarding the registry.

Senate Amendment "A" To Committee Amendment "A" (S-362)

This amendment provides that the Department of Health and Human Services is not required to pay a quality differential rate for child care services provided through the Temporary Assistance to Needy Families block grant. It also removes the appropriations and allocations section.

LD 1387 An Act To Provide Clarity and Consistency in Routine Public Health Licensing Activities

PUBLIC 264

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARNSWORTH HAMPER	OTP-AM	H-371

This bill makes changes in licensing laws administered by the Department of Health and Human Services for the purposes of clarity and consistency. It clarifies to whom the definitions of "eating establishment" and "lodging place" apply, applies license fine and penalty provisions to public pools and public spas and provides a procedure for the referral of persons who fail to pay certain licensing penalties to the Attorney General's office for prosecution. The bill makes changes in the laws governing electrologists, tattoo artists and persons performing micropigmentation and body piercing to increase fines for violations and provide consistency in regulation and enforcement among these professions. The bill also makes toilet facility requirements for eating establishments consistent with rules of the Plumbers' Examining Board and provides that the law prohibiting animals in food stores also applies to animals owned by store owners and managers.

Committee Amendment "A" (H-371)

This amendment changes the definition of "lodging place" so that bed and breakfasts and inns are included. It enacts a definition of "vacation rental" and excludes vacation rentals from licensing requirements applicable to lodging places.

Enacted Law Summary

Public Law 2013, chapter 264 makes changes in licensing laws administered by the Department of Health and Human Services for the purposes of clarity and consistency. It clarifies to whom the definitions of "eating establishment" and "lodging place" apply, applies license fine and penalty provisions to public pools and public spas and provides a procedure for the referral of persons who fail to pay certain licensing penalties to the Attorney General's office for prosecution. It enacts a definition of "vacation rental" and excludes vacation rentals from licensing requirements applicable to lodging places. The law makes changes in the laws governing electrologists, tattoo artists and persons performing micropigmentation and body piercing to increase fines for violations and provide consistency in regulation and enforcement among these professions. The law also makes toilet facility requirements for eating establishments consistent with rules of the Plumbers' Examining Board and provides that the law prohibiting animals in food stores also applies to animals owned by store owners and managers.