

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
126<sup>TH</sup> 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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# STATE OF MAINE

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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 126<sup>th</sup> 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 126<sup>th</sup> 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.

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

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.