

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

M
R. 015

L.D. 1826

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
40
42
44
46
48

DATE: 4-15-04

(Filing No. H-928)

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
SECOND SPECIAL SESSION**

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 671, L.D. 1826, Bill, "An Act To Encourage the Proper Disposal of Expired Pharmaceuticals"

Amend the amendment by striking out the substitute title and replacing it with the following:

'Resolve, To Encourage the Proper Disposal of Unused Pharmaceuticals'

Further amend the amendment by striking out all of the enacting clause (page 1, line 32 in amendment)

Further amend the amendment by striking out all of sections 1 to 3 and inserting in their place the following:

'Sec. 1. Maine Drug Return Study Group. Resolved: That the Maine Drug Return Study Group, referred to in this resolve as "the study group," is established to study the establishment of an unused pharmaceutical disposal program, referred to in this resolve as "the program." The study group may not receive any funding from the General Fund or other public sources.

1. Issues. The study group shall study the following issues and make recommendations for establishment of the program in a manner that addresses the issues, safeguards the public health and environment and meets the requirements of local, state and federal law, rule and regulation:

- A. Postal regulations;
- B. The methods and requirements for packaging, including prepaid mailing envelopes;

HOUSE AMENDMENT

R.O.S.

2 C. Minimizing drug diversion and theft;

4 D. Public education regarding program requirements and
operation; and

6 E. Encouraging the development of drug drop-off programs at
the local level.

8 **2. Membership.** The study group consists of 11 members.

10 A. The President of the Senate shall appoint one Senator,
12 one representative of local municipal enforcement agencies
and one representative of pharmacies. The appointed Senator
14 serves as the chair of the study group.

16 B. The Speaker of the House shall appoint 2
representatives, one person representing pharmaceutical
18 manufacturers and one representative of a statewide
association of medical professionals.

20 C. The study group must also include the Attorney General
22 or the Attorney General's designee, the Commissioner of
Human Services or the commissioner's designee, the
24 Commissioner of Environmental Protection or the
commissioner's designee and the Director of the Maine Drug
26 Enforcement Agency within the Department of Public Safety or
the director's designee.

28 The study group shall invite the participation of the federal
30 Drug Enforcement Agency, the Office of the United States Attorney
for the District of Maine, the United States Postal Service and
32 interested parties and persons with expertise and interest in
issues related to the disposal of unused pharmaceuticals.

34 All appointments must be made by September 1, 2004. The
36 appointing authorities shall notify the Executive Director of the
Legislative Council upon making their appointments. When
38 appointment of all members of the study group is completed, the
chair shall call and convene the first meeting no later than
40 September 30, 2004; and be it further

42 **Sec. 2. Staffing. Resolved:** That staffing must be provided by
a statewide association of medical professionals and, upon
44 approval of the Legislative Council, the Office of Policy and
Legal Analysis; and be it further

46 **Sec. 3. Compensation. Resolved:** That, subject to section 6,
48 legislative members of the study group are entitled to the
legislative per diem, as defined in the Maine Revised Statutes,
50 Title 3, section 2, and reimbursement for travel and other

10/25

2 necessary expenses related to their attendance at authorized
3 meetings of the study group. Public members not otherwise
4 compensated by their employers or other entities that they
5 represent are entitled to receive reimbursement of necessary
6 expenses and, upon a demonstration of financial hardship, a per
7 diem equal to the legislative per diem for their attendance at
8 authorized meetings of the study group; and be it further

9
10 **Sec. 4. Report. Resolved:** That the study group shall report
11 to the joint standing committee of the Legislature having
12 jurisdiction over health and human services matters by January
13 31, 2005. The report must include information and
14 recommendations on establishing the program. The joint standing
15 committee of the Legislature having jurisdiction over health and
16 human services matters shall review the report and may report out
17 legislation to the First Regular Session of the 122nd
18 Legislature; and be it further

19
20 **Sec. 5. Extension. Resolved:** That if the study group requires
21 a limited extension of time to conclude its study and make its
22 report, it may apply to the Legislative Council, which may grant
23 an extension; and be it further

24 **Sec. 6. Funding. Resolved:** That the study group shall seek
25 outside funds to fully fund all costs of the study group. If
26 sufficient outside funding has not been received by September 15,
27 2004 to fully fund all costs of the study group, no meetings are
28 authorized and no expenses of any kind may be incurred or
29 reimbursed. Contributions to support the work of the study group
30 may not be accepted from any party having a pecuniary or other
31 vested interest in the outcome of the matters being studied. Any
32 person, other than a state agency, desiring to make a financial
33 or in-kind contribution must certify to the Legislative Council
34 that it has no pecuniary or other vested interest in the outcome
35 of the study. Such certification must be made in the manner
36 prescribed by the Legislative Council. All contributions are
37 subject to approval by the Legislative Council. All funds
38 accepted must be forwarded to the Executive Director of the
39 Legislative Council along with an accounting record that includes
40 the amount of funds, the date the funds were received, from whom
41 the funds were received and the purpose of and any limitation on
42 the use of those funds. The Executive Director of the
43 Legislative Council shall administer any funds received by the
44 study group. The executive director shall notify the chair of
45 the study group when sufficient funding has been received.'

46

11.013

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 671, L.D.
1826

SUMMARY

2

This amendment changes the bill to a resolve and eliminates
4 the establishment of the Unused Pharmaceutical Disposal Program.
It changes the implementation group into a study group charged
6 with studying the establishment of a program to dispose of unused
pharmaceuticals.

8

10

12

SPONSORED BY: Lawrence Curley
(Representative CURLEY)

14

TOWN: Scarborough

16

FISCAL NOTE REQUIRED
(See attached)

**121st Maine Legislature
Office of Fiscal and Program Review**

LD 1826

An Act to Encourage the Proper Disposal of Expired Pharmaceuticals



LR 2440(07)

Fiscal Note for House Amendment " " to Committee Amendment " "

Sponsor: Rep. Curley

Fiscal Note Required: Yes

Fiscal Note

Eliminates future General Fund costs
Eliminates future Other Special Revenue Funds costs
Eliminates future Other Special Revenue Funds revenue increases

Fiscal Detail and Notes

This amendment eliminates all future fiscal impacts that would have occurred with the establishment of the proposed Unused Pharmaceutical Disposal Program.