

MAINE STATE LEGISLATURE

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M
R.O.S.

L.D. 1826

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DATE: 4-29-04

(Filing No. S-572)

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**STATE OF MAINE
SENATE
121ST LEGISLATURE
SECOND SPECIAL SESSION**

SENATE AMENDMENT "B" 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 all of sections 2 and 3 and inserting in their place the following:

Sec. 2. Maine Drug Return Implementation Group. The Director of the Maine Drug Enforcement Agency within the Department of Public Safety shall establish and convene the Maine Drug Return Implementation Group, referred to in this section as "the implementation group," to assist the agency on implementation issues for the Unused Pharmaceutical Disposal Program, established in the Maine Revised Statutes, Title 22, chapter 604, referred to in this section as "the program."

1. Issues. The implementation group shall study the following issues and make recommendations for implementation 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;
- C. Minimizing drug diversion and theft;
- D. Public education regarding program requirements and operation; and

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- 2 E. Encouraging the development of drug drop-off programs at
the local level.
- 4
- 6 **2. Membership; chair.** The Director of the Maine Drug
Enforcement Agency shall serve as chair and shall invite the
participation on the implementation group of the following:
- 8
- 10 A. One representative of local municipal enforcement
agencies;
- 12 B. One representative of pharmacies;
- 14 C. One representative of pharmaceutical manufacturers;
- 16 D. One representative of a statewide association of medical
professionals;
- 18 E. The Attorney General or the Attorney General's designee;
- 20 F. The Commissioner of Human Services or the commissioner's
designee;
- 22 G. The Commissioner of Environmental Protection or the
commissioner's designee;
- 24 H. A representative of the federal Drug Enforcement Agency;
- 26 I. A representative of the Office of the United States
Attorney for the District of Maine;
- 28 J. A representative of the United States Postal Service;
- 30 K. Interested parties and persons with expertise and
interest in issues related to the disposal of unused
pharmaceuticals; and
- 32 L. Representatives of the Joint Standing Committee on
Health and Human Services.

40 The chair shall call and convene the first meeting no later than
42 August 31, 2004.

44 **3. Staffing.** The Maine Drug Enforcement Agency shall
provide necessary staffing and support services to the
46 implementation group.

48 **4. Report.** The Maine Drug Enforcement Agency shall report
to the joint standing committee of the Legislature having
50 jurisdiction over health and human services matters by December

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31, 2004. The report must include information and
2 recommendations for implementing the program. The joint standing
committee of the Legislature having jurisdiction over health and
4 human services matters shall review the report and may report out
a bill to the First Regular Session of the 122nd Legislature.

6
5. **Funding.** The Maine Drug Enforcement Agency may seek
8 outside funds to fund costs of the implementation group.
Contributions to support the work of the implementation group may
10 not be accepted from any party having a pecuniary or other vested
interest in the outcome of the matters being studied.

12
Sec. 3. Effective date. That section of this Act that enacts
14 the Maine Revised Statutes, Title 22, chapter 604 takes effect
July 1, 2005.'

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Further amend the amendment by relettering or renumbering
18 any nonconsecutive Part letter or section number to read
consecutively.

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22 **SUMMARY**

24 This amendment incorporates the effective date provision
from Senate Amendment "A" to Committee Amendment "A," filing No.
26 S-506.

28 This amendment makes the following changes:

30 1. Directs the Director of the Maine Drug Enforcement
Agency within the Department of Public Safety to form the Maine
32 Drug Return Implementation Group to assist the Maine Drug
Enforcement Agency on issues related to implementation of the
34 Unused Pharmaceutical Disposal Program;

36 2. Describes the membership of the implementation group;

38 3. Directs the Maine Drug Enforcement Agency to provide
staff support to the implementation group;

40 4. Authorizes the Maine Drug Enforcement Agency to seek
42 outside funds for costs associated with the work of the
implementation group;

44 5. Requires the Maine Drug Enforcement Agency to report its
46 recommendations for implementing the program to the joint

AMS

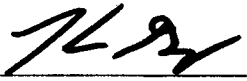
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2 standing committee of the Legislature having jurisdiction over
health and human services matters by December 31, 2004; and

4 6. Strikes the appropriations and allocations section.

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SPONSORED BY: 
(Senator GAGNON)

10

COUNTY: Kennebec

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FISCAL NOTE REQUIRED
(See Attached)

SENATE AMENDMENT

121st Maine Legislature
Office of Fiscal and Program Review



LD 1826

An Act To Encourage the Proper Disposal of Expired Pharmaceuticals

LR 2440(10)

Fiscal Note for Senate Amendment 'B' to Committee Amendment 'A'

Sponsor: Sen. Gagnon

Fiscal Note Required: Yes

Fiscal Note

Elimination of Legislative Study costs

	2003-04	2004-05	Projections 2005-06	Projections 2006-07
Appropriations/Allocations				
Other Special Revenue Funds	\$0	(\$2,860)	\$0	\$0

Fiscal Detail and Notes

This amendment strikes the allocation to the Legislature and removes the study.