

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
127<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**

August 2015

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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 127<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. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

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

The effective date for non-emergency legislation enacted in the First Regular Session of the 127<sup>th</sup> Legislature is October 15, 2015. 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*

**LD 752      An Act To Permit Medical Marijuana Cultivation by Incapacitated Adults      Veto Sustained**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY L BRAKEY	OTP-AM	H-331

This bill allows a qualifying patient under the Maine Medical Use of Marijuana Act who is an incapacitated adult to possess marijuana and cultivate marijuana for that incapacitated adult's own use.

**Committee Amendment "A" (H-331)**

This amendment specifies that a qualifying patient who is an incapacitated adult may not cultivate marijuana for that patient's use unless the patient's legal guardian or person to whom the patient has granted power of attorney for health care decisions is designated as the patient's primary caregiver. Additionally, that primary caregiver may assist the qualifying patient with cultivation of the patient's own marijuana if the marijuana plants that are dedicated to the patient are segregated from any other marijuana plants.

The amendment prohibits a public guardian or conservator described under the Maine Revised Statutes, Title 18-A, section 5-601 from cultivating marijuana for a qualifying patient who is an incapacitated adult, but that guardian or conservator may designate a second primary caregiver to assist that patient with cultivation if the marijuana plants that are dedicated to the patient are segregated from any other marijuana plants.

**LD 766      An Act To Require a Medical Marijuana Primary Caregiver Cultivating in a Residential Building To Obtain an Electrical Permit      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COREY DUTREMBLE	ONTP	

This bill amends the Maine Medical Use of Marijuana Act to require, beginning January 2, 2016, a primary caregiver to obtain an electrical permit from an electrical inspector prior to cultivating in a residential building.

**LD 771      An Act To Promote Dental Services for Prenatal and Postpartum Women      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASTRACCIO	ONTP	

This bill provides MaineCare coverage for dental services including diagnostic, preventive and restorative services to pregnant women and postpartum women 21 years of age and older.

**LD 772      An Act To Amend the Membership of the Child Care Advisory Council      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GATTINE	ONTP	