

MAINE STATE LEGISLATURE

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L.D. 1826

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DATE: 4-8-04

(Filing No. S-506)

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STATE OF MAINE
SENATE
121ST LEGISLATURE
SECOND SPECIAL SESSION

SENATE 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 in section 2 in the first paragraph by striking out all of the last sentence (page 2, line 49 and page 3, lines 1 and 2 in amendment)

Further amend the amendment in section 2 in subsection 2 in paragraph A in the last line (page 3, line 28 in amendment) by inserting after the following: "pharmacies." the following: 'The appointed Senator serves as chair of the implementation group.'

Further amend the amendment in section 2 in subsection 2 by inserting at the end a new blocked paragraph to read:

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

Further amend the amendment in section 2 by inserting after subsection 2 the following:

'3. **Staffing.** Staffing must be provided by a statewide association of medical professionals and, upon approval of the Legislative Council, the Office of Policy and Legal Analysis.'

SENATE AMENDMENT

10/13

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

2 **4. Compensation.** Legislative members of the implementation
3 group are entitled to the legislative per diem, as defined in the
4 Maine Revised Statutes, Title 3, section 2, and reimbursement for
5 travel and other necessary expenses related to their attendance
6 at authorized meetings of the group. Public members not
7 otherwise compensated by their employers or other entities that
8 they represent are entitled to receive reimbursement of necessary
9 expenses and, upon a demonstration of financial hardship, a per
10 diem equal to the legislative per diem for their attendance at
11 authorized meetings of the implementation group.'

12 Further amend the amendment in section 2 by striking out all
13 of subsection 3 (page 3, lines 49 and 50 and page 4, lines 1 to 8
14 in amendment) and inserting in its place the following:

15 '**5. Report.** The implementation group shall report to the
16 joint standing committee of the Legislature having jurisdiction
17 over health and human services matters by January 31, 2005. The
18 report must include information and recommendations on
19 implementing the program. The joint standing committee of the
20 Legislature having jurisdiction over health and human services
21 matters shall review the report and may report out legislation to
22 the First Regular Session of the 122nd Legislature.

23 **6. Extension.** If the implementation group requires a
24 limited extension of time to conclude its study and make its
25 report, it may apply to the Legislative Council, which may grant
26 an extension.
27

28 **7. Funding.** The implementation group shall seek outside
29 funds to fully fund all costs of the implementation group. If
30 sufficient outside funding has not been received by September 15,
31 2004 to fully fund all costs of the implementation group, no
32 meetings are authorized and no expenses of any kind may be
33 incurred or reimbursed. Contributions to support the work of the
34 implementation group may not be accepted from any party having a
35 pecuniary or other vested interest in the outcome of the matters
36 being studied. Any person, other than a state agency, desiring
37 to make a financial or in-kind contribution must certify to the
38 Legislative Council that it has no pecuniary or other vested
39 interest in the outcome of the study. Such certification must be
40 made in the manner prescribed by the Legislative Council. All
41 contributions are subject to approval by the Legislative
42 Council. All funds accepted must be forwarded to the Executive
43 Director of the Legislative Council along with an accounting
44 record that includes the amount of funds, the date the funds were
45 received, from whom the funds were received and the purpose of
46 and any limitation on the use of those funds. The Executive
47 Director of the Legislative Council shall administer any funds
48 received by the implementation group. The executive director
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SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 671,
L.D. 1826

shall notify the chair of the implementation group when
sufficient funding has been received.'

Further amend the amendment by striking out all of section 3
and inserting in its place the following:

'Sec. 3. Appropriations and allocations. The following
appropriations and allocations are made.

LEGISLATURE

Miscellaneous Studies - Funding

Initiative: Allocates funds for the per diem and expenses of
members of the Maine Drug Return Implementation Group and
printing a report in fiscal year 2004-05.


Other Special Revenue Funds	2003-04	2004-05
Personal Services	\$0	\$660
All Other	0	2,200
Other Special Revenue Funds Total	\$0	\$2,860

Sec. 4. Effective date. That section of this Act that enacts
the Maine Revised Statutes, Title 22, chapter 604 takes effect
July 1, 2005.'

SUMMARY

This amendment amends the majority report of the committee.
It rewrites the provisions establishing the Maine Drug Return
Implementation Group to conform to the study guidelines of the
Legislature. It adds provisions requiring outside funding. It
removes the contingent effective date, making the bill take
effect on July 1, 2005.

FISCAL NOTE REQUIRED
(See attached)

SPONSORED BY: 
(Senator BRENNAN)

COUNTY: Cumberland

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



LD 1826

An Act to Encourage the Proper Disposal of Expired Pharmaceuticals

LR 2440(05)

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

Sponsor: Sen. Brennan

Fiscal Note Required: Yes

Fiscal Note

Current Costs - Legislative Study

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

Legislative Study

Authorizing the Maine Drug Return Implementation Group to seek funds from other sources may result in the collection of Other Special Revenue funds in fiscal year 2004-05. An allocation of Other Special Revenue funds in the amount of \$2,860 is included to fund all costs of the implementation group from a dedicated account should outside sources of funding be received for this purpose. If outside funding is not received to fully fund all costs, no meetings are authorized and no expenses can be incurred. The costs associated with providing staffing assistance during the interim between legislative sessions can be absorbed by the Legislature utilizing existing budgeted resources.