

# MAINE STATE LEGISLATURE

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*State Of Maine  
121st Legislature*

*First Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Health and Human Services*

*July 2003*

**Staff:**

*Jane Orbeton, Senior Analyst  
Lucia Nixon, Legislative Analyst*

*Office of Policy and Legal Analysis  
13 State House Station  
Augusta, ME 04333  
(207) 287-1670*

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# Maine State Legislature



## Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

### 121st Maine Legislature First Regular Session

#### Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint select committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills considered by the committees. It is arranged alphabetically by committee name and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet ([www.state.me.us/legis/opla](http://www.state.me.us/legis/opla)).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

<i>CARRIED OVER PURSUANT TO HP 1212</i> .....	<i>Bills carried over to the 2<sup>nd</sup> Regular Session</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; bill died</i>
<i>DIED BETWEEN BODIES</i> .....	<i>House &amp; Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i> .....	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> .....	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i> .....	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i> .....	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i> .....	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i> .....	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i> .....	<i>Ought Not To Pass report accepted</i>
<i>OTP-ND</i> .....	<i>Committee report Ought To Pass In New Draft</i>
<i>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PASSED</i> .....	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i> .....	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i> .....	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i> .....	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's Veto</i>

Please note that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

**David C. Elliott, Director**  
Offices located in Room 215 of the Cross Office Building

*Joint Standing Committee on Health and Human Services*

**LD 1634**

**An Act To Improve the Maine Rx Program**

**PUBLIC 494**

<u>Sponsor(s)</u> TREAT KANE	<u>Committee Report</u>	<u>Amendments Adopted</u> H-570 BRANNIGAN
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LD 1634 proposed to enact the Maine Rx Plus program, amending the Maine Rx Program that was upheld in the U.S. Supreme Court in the spring of 2003. It proposed to impose an income eligibility limit for the Maine Rx Plus program of 350% of the federal poverty level. It proposed to direct the Department of Human Services to conduct ongoing quality assurance activities similar to those used in the MaineCare program. It proposed to change dates for certain activities to be undertaken in connection with the Maine Rx Plus Program. It proposed to appropriate funds for positions and for necessary operating costs in connection with the Maine Rx Plus program and to appropriate funds for the costs associated with the adoption of rules associated with the program by the Maine Board of Pharmacy.

**House Amendment "A" (H-570)** proposed to remove the appropriation and allocation section of the bill and instead transfer funds from the General Fund to the existing Maine Rx, Other Special Revenue Funds account within the Department of Human Services to fund the implementation and operation of Maine Rx Plus.

***Enacted Law Summary***

Public Law 2003, chapter 494 enacts the Maine Rx Plus Program, amending the Maine Rx program that was upheld in the U.S. Supreme Court in the spring of 2003. The law imposes an income eligibility limit for the Maine Rx Plus program of 350% of the federal poverty level. The law corrects dates for the program and adds a quality assurance component. The law transfers funds from the General Fund to the Department of Human Services to implement and operate Maine Rx Plus.

**SP 372**

**JOINT STUDY ORDER To Establish the Task Force To Study Drug Overdose**

**ONTP**

<u>Sponsor(s)</u> BRENNAN	<u>Committee Report</u>	<u>Amendments Adopted</u>
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Senate Paper 372 proposed to establish the Task Force to Study Drug Overdose to conduct a study of the problem of drug overdose in the state and determine recommended remedy and treatment plans. It proposed to require the task force to hold 4 meetings at various locations in the State and to submit a report, including suggested legislation, to the Legislature no later than December 31, 2003.