

# MAINE STATE LEGISLATURE

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*State Of Maine  
122nd Legislature*

*First Regular Session and  
First Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Health and Human Services*

*August 2005*

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 organized by committees 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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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).

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:

- CARRIED OVER ..... Bill Carried Over to Second Regular Session
CON RES XXX..... Chapter # of Constitutional Resolution passed by both Houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; bill died
DIED BETWEEN BODIES..... House & Senate disagree; bill died
DIED IN CONCURRENCE..... One body accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT..... Action incomplete when session ended; bill died
EMERGENCY..... Enacted law takes effect sooner than 90 days
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE..... Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE..... Bill failed to get majority vote
FAILED MANDATE ENACTMENT..... Bill imposing local mandate failed to get 2/3 vote
NOT PROPERLY BEFORE THE BODY..... Ruled out of order by the presiding officers; bill died
INDEF PP..... Bill Indefinitely Postponed
ONTP..... Ought Not To Pass report accepted
OTP ND..... Committee report Ought To Pass In New Draft
OTP ND/NT..... Committee report Ought To Pass In New Draft/New Title
P&S XXX..... Chapter # of enacted Private & Special Law
PUBLIC XXX..... Chapter # of enacted Public Law
RESOLVE XXX..... Chapter # of finally passed Resolve
UNSIGNED..... Bill held by Governor
VETO SUSTAINED..... Legislature failed to override Governor's Veto

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

*Joint Standing Committee on Health and Human Services*

LD 1507

**An Act To Control the Spread of Methamphetamines**

ONTP

Sponsor(s)  
MILLS P

Committee Report  
ONTP

Amendments Adopted

LD 1507 proposed to require that only licensed retailers dispense pseudoephedrine, that the amount of pseudoephedrine dispensed be limited to 9 grams per day per person and that pseudoephedrine be dispensed only when the recipient of the product has been identified. The bill also proposed to require that retailers maintain a log of persons to whom pseudoephedrine is dispensed. Violation of any of these requirements would be a civil violation for which a fine of not more than \$300 may be imposed for each occurrence. Multiple violations would be grounds for suspension or revocation of a retail license.

The bill also proposed to make it a Class D crime for any person to provide more than 90 grams of pseudoephedrine to another. It proposed to make it a Class E crime for any person to acquire improperly more than 9 grams of pseudoephedrine products.

**LD 1515**

**Resolve, To Establish a Responsive, Community-based, Cost-effective and Comprehensive Adult Mental Health System**

RESOLVE 85

Sponsor(s)  
PINGREE  
MAYO

Committee Report  
OTP-AM

Amendments Adopted  
H-479

LD 1515 proposed to require the Department of Health and Human Services to develop a regional system for the financing, management and oversight of the state mental health system.

***Enacted law summary***

Resolve 2005, chapter 85 requires the Department of Health and Human Services to ensure that the plan presented to the court to achieve compliance with the Augusta Mental Health Institute Consent Decree Plan and the system transformation plan required in Public Law 2005, chapter 12, Part XXX are consumer-directed, community-based and comprehensive. The resolve also specifies the values and standards, service reform and improvement components and readiness parameters to be used in the transformation of the adult mental health services system. The resolve also requires the Department of Health and Human Services to provide a report and recommendations, including any recommendations of the working group required under section 1 of this resolve, to the Joint Standing Committee on Health and Human Services no later than January 15, 2006.

LD 1538

**An Act To Amend the Laws Authorizing the Medical Use of Marijuana BY REQUEST**

ONTP

Sponsor(s)  
GAGNON  
THOMPSON

Committee Report  
ONTP

Amendments Adopted