

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

The law designates more than 9 grams of a targeted methamphetamine precursor possessed by a person as a Schedule Z illegal drug and provides an affirmative defense if it is possessed for a legitimate medical purpose. The law requires the Department of Health and Human Services, Office of Substance Abuse to create the Maine Meth Watch Program, based on a national so-called "Meth Watch" program, which helps deter suspicious sales and theft of targeted methamphetamine precursor-containing medicines and other products used in the illegal manufacturing of methamphetamine.

The law authorizes the Director of the Office of Substance Abuse in the Department of Health and Human Services to adopt major substantive rules on further restrictions for the liquid or gel forms of targeted methamphetamine precursors, on mandatory identification and on requiring a purchase log if the Director of the Maine Drug Enforcement Agency finds circumstances that pose a threat to the public health, safety and welfare and the Director of the Office of Substance Abuse has consulted with the joint standing committee of the Legislature having jurisdiction over health and human services matters.

LD 1614 **An Act To Sustain and Strengthen Community Health Coalitions** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROSEN R PINGREE		

LD 1614 proposed to establish the Commission to Certify and Recertify Comprehensive Community Health Coalitions, to establish a system of comprehensive community health coalitions and to appropriate \$200,000 in fiscal year 2006-07 for the Commission to Certify and Recertify Comprehensive Community Health Coalitions. The bill proposed to enact effective date of January 1, 2006.

This bill was carried over by H.P. 1203 to any special or regular session of the 122nd Legislature.

LD 1618 **An Act Regarding Advertising by Drug Manufacturers and Disclosure of Clinical Trials** **PUBLIC 392**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LERMAN	OTP-AM MAJ ONTP MIN	H-661 H-675 LERMAN

LD 1618 proposed to require the Department of Health and Human Services to adopt rules incorporating by reference federal laws and regulations concerning misbranded drugs and devices and prescription drug advertising. The bill also requires drug manufacturers to provide information concerning clinical trials of prescription drugs advertised in the State, provides immunity for disclosure of that information, directs the department to maintain this information on an Internet website and enables the department to collect a fee from manufacturers to support a clinical trial database. The bill proposed to make violations of these requirements violations of the Maine Unfair Trade Practices Act, which are subject to a fine of not more than \$10,000.

Enacted law summary