

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
SECOND REGULAR AND FIRST SPECIAL SESSIONS



Summaries of bills, adopted amendments and laws enacted or finally passed
during the Second Regular or First Special Sessions of the 123rd Maine
Legislature coming from the

**JOINT STANDING COMMITTEE ON HEALTH AND HUMAN
SERVICES**

May 2008

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STATE OF MAINE
123RD LEGISLATURE
SECOND REGULAR & FIRST SPECIAL SESSIONS



**LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS**

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the Second Regular or First Special Sessions of the 123rd Maine Legislature.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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>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 & 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; bill died</i>
<i>ONTP (or Accepted ONTP report)</i>	<i>Ought Not To Pass report accepted; bill died</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & 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>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

The effective date for non-emergency legislation enacted in the Second Regular Session (R2) is June 30, 2008. The effective date for non-emergency legislation enacted in the First Special Session (S1) is July 18, 2008.¹ The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills. Any bill summarized in this document having an LD number less than 1932 was a bill carried over from the First Regular Session of the 123rd Legislature.

¹ The session in which each law was enacted or finally passed (R2 or S1) is included in Appendix C.

Joint Standing Committee on Health and Human Services

LD 1956 **Resolve, To Expand the Case Definition of Lyme Disease for Purposes of Compiling the Annual Lyme Disease Surveillance Report** **ACCEPTED ONTP REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT B	ONTP MAJ OTP-AM MIN	

This resolve directs the Maine Center for Disease Control and Prevention to expand the case definition of Lyme disease that it uses to prepare the Lyme Disease Surveillance Report to include instances of physician-diagnosed Lyme disease in the absence of erythema migrans or laboratory confirmation of infection.

LD 1961 **An Act To Repeal the Ban on the Sale and Furnishing of Hard Snuff** **PUBLIC 487 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRANNIGAN	OTP-AM	S-423

This bill repeals the prohibition on the sale, furnishing or gifting of hard snuff.

Committee Amendment "A" (S-423)

This amendment clarifies language in the emergency preamble.

Enacted Law Summary

Public Law 2008, chapter 487 repeals the prohibition on the sale, furnishing or gifting of hard snuff.

Public Law 2008, chapter 487 was enacted as an emergency measure effective March 6, 2008.

LD 1967 **An Act To Establish a Consumer Council System of Maine** **PUBLIC 592**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRANNIGAN	OTP-AM	S-547

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to establish a statewide consumer council consistent with the State's comprehensive mental health plan and the Augusta Mental Health Institute Consent Decree Plan, which calls for the creation of such a council in order to influence public policy and address community issues affecting the lives of consumers of mental health services.

Committee Amendment "A" (S-547)

This amendment establishes the Consumer Council System of Maine, consisting of the Statewide Consumer Council and local councils, to provide an effective, independent consumer voice in an advisory capacity in the development of public policy and resource allocation for delivery of adult mental health services in the State.

Enacted Law Summary

Public Law 2007, chapter 592 establishes the Consumer Council System of Maine, consisting of the Statewide

Joint Standing Committee on Health and Human Services

Consumer Council and local councils, to provide an effective, independent consumer voice in an advisory capacity in the development of public policy and resource allocation for delivery of adult mental health services in the State.

LD 1975 Resolve, To Require the Department of Health and Human Services To Promote Awareness of Parkinson's Disease **ONTP**

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

This bill requires the Department of Health and Human Services, Maine Center for Disease Control and Prevention to undertake an education initiative regarding Parkinson's disease that provides training to a wide variety of health care, public service and law enforcement personnel. The Health and Human Services Committee requested by letter that Department of Health and Human Services, Maine Center for Disease Control and Prevention include training at appropriate conferences within existing resource and to involve the program manager for Maine's Parkinson's Information and Referral Center and the legislative liaison for the American Parkinson's Disease Association.

LD 1977 Resolve, To Establish a Statewide Protocol for the Early Detection and Treatment of Autism **RESOLVE 200**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS P	OTP-AM	S-565

This resolve requires the Department of Health and Human Services and the Department of Education, working together and within existing resources, to develop and implement a uniform statewide protocol for the screening of all children between 18 and 30 months of age for signs of autism. The departments are further required to implement through rulemaking a program of intensive treatment for children who are diagnosed with autism through the Child Development Services System.

Committee Amendment "A" (S-565)

This amendment replaces the resolve. It requires the Department of Education and the Department of Health and Human Services to convene an interdepartmental work group to develop and establish a uniform statewide protocol for screening young children for signs of autism. The work group is also directed to examine models that meet criteria for evidence-based clinical trials to support individual young children with the diagnosis of autism served through the Child Development Services System and to examine the interdepartmental system for capacity and service availability. The work group is directed to report to the joint standing committees of the Legislature having jurisdiction over education and cultural affairs and health and human services matters by January 15, 2009.

Enacted Law Summary

Resolve 2007, chapter 200 directs the Department of Education and the Department of Health and Human Services to convene an interdepartmental work group to develop and establish a uniform statewide protocol for screening young children for signs of autism. The work group is also directed to examine models that meet criteria for evidence-based clinical trials to support individual young children with the diagnosis of autism served through the Child Development Services System and to examine the interdepartmental system for capacity and service availability. The work group is directed to report to the joint standing committees of the Legislature having jurisdiction over education and cultural affairs and health and human services matters by January 15, 2009.