

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the First Regular Session of the 124th Maine Legislature coming from the

JOINT STANDING COMMITTEE ON HEALTH AND HUMAN SERVICES

July 2009

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STATE OF MAINE

124TH LEGISLATURE
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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 First Regular Session of the 124th 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:

CARRIED OVER.....	Carried over to a subsequent session of the Legislature
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; bill died
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted; bill died
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

The effective date for non-emergency legislation enacted in the First Regular Session of the 124th Legislature is September 12, 2009. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Health and Human Services

LD 1165 An Act To Improve Children's Safety in Public Swimming Pools

PUBLIC 206

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HUNT	OTP-AM	H-261

The federal Virginia Graeme Baker Pool and Spa Safety Act requires all public swimming pools and public spas to be equipped with anti-entrapment devices, unblockable drains or safety vacuum release systems to prevent the entrapment of persons in the pool or spa. This bill requires the Maine Center for Disease Control and Prevention to enforce the provisions of that federal law, including closing any public pool or public spa that does not comply with the federal law.

Committee Amendment "A" (H-261)

This amendment requires the Maine Center for Disease Control and Prevention to enforce the federal law only if federal funds are provided to cover the costs of enforcement.

Enacted Law Summary

Public Law 2009, chapter 206 requires the Maine Center for Disease Control and Prevention to enforce the provisions of federal Virginia Graeme Baker Pool and Spa Safety Act, including closing any public pool or public spa that does not comply with the federal law, only if federal funds are provided to cover the costs of enforcement.

LD 1228 Resolve, To Direct Action on Health Disparities of the Passamaquoddy Tribe and Washington County

**RESOLVE 93
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SOCTOMAH RAYE	OTP-AM	H-403

This resolve directs the Department of Health and Human Services, Maine Center for Disease Control and Prevention, offices of minority health and data, research and vital statistics and a Washington County health organization to work with the Passamaquoddy health directors to help reduce health disparities between the Passamaquoddy Tribe and the State and the United States and Washington County and the State and the United States. This work must include development of an action plan to address health disparities found between Washington County and the State and the United States and the Passamaquoddy Tribe and the State and the United States and the development of recommendations for data collection methods to address the disparities. A report must be submitted to the Joint Standing Committee on Health and Human Services by January 15, 2010, and the committee may submit legislation related to the report to the Second Regular Session of the 124th Legislature.

Committee Amendment "A" (H-403)

This amendment changes the date of the report from January 15, 2010 to January 15, 2011. It changes the authorization to submit legislation from the Second Regular Session of the 124th Legislature to the First Regular Session of the 125th Legislature.

Enacted Law Summary

Resolve 2009, chapter 93 directs the Department of Health and Human Services, Maine Center for Disease Control

Joint Standing Committee on Health and Human Services

and Prevention, offices of minority health and data, research and vital statistics and a Washington County health organization to work with the Passamaquoddy health directors to help reduce health disparities between the Passamaquoddy Tribe and the State and the United States and Washington County and the State and the United States. This work must include development of an action plan to address health disparities found between Washington County and the State and the United States and the Passamaquoddy Tribe and the State and the United States and the development of recommendations for data collection methods to address the disparities. A report must be submitted to the Joint Standing Committee on Health and Human Services by January 15, 2011, and the committee may submit legislation related to the report to the First Regular Session of the 125th Legislature.

Resolve 2009, chapter 93 was passed as an emergency measure effective June 8, 2009.

**LD 1229 Resolve, Directing the Department of Health and Human Services To
Extend MaineCare Dental and Oral Health Services**

**LEAVE TO
WITHDRAW**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERRY A	LTW	

This resolve directs the Department of Health and Human Services to amend its rules regarding MaineCare services to extend MaineCare dental and oral health services to a pregnant woman who is eligible to receive MaineCare benefits through the duration of her pregnancy and for 60 days after the birth of her child regardless of the pregnant woman's age.

LD 1230 An Act To Prohibit the Delivery of Tobacco Products to Minors

PUBLIC 398

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERRY A	OTP MAJ OTP-AM MIN	H-438 S-308 BRANNIGAN

This bill prohibits delivery sales of tobacco products in the State to anyone other than a licensed tobacco distributor or a licensed tobacco retailer.

Committee Amendment "A" (H-438)

This amendment is the minority report of the committee. It exempts delivery sales of large cigars to adult purchasers from the prohibition on delivery sales of tobacco products to consumers.

This amendment amends Committee Amendment "A" as follows:

1. It exempts premium cigars from the requirement that delivery sales of tobacco products must be shipped to a licensed tobacco distributor or retailer;
2. It retains current law on shipment of tobacco products, narrowing it beginning October 1, 2009 to apply to premium cigars, and retaining the requirement that shippers of premium cigars into the State be licensed as tobacco retailers;