

MAINE STATE LEGISLATURE

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STATE OF MAINE
125TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

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

June 2012

STAFF:

JANE ORBETON, SENIOR ANALYST
ANNA BROOME, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
&
CHRIS NOLAN
OFFICE OF FISCAL AND PROGRAM REVIEW
5 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1635

MEMBERS:

SEN. EARLE L. MCCORMICK, CHAIR
SEN. NICHI S. FARNHAM
SEN. MARGARET M. CRAVEN

REP. MEREDITH N. STRANG BURGESS, CHAIR
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STATE OF MAINE

125TH LEGISLATURE
SECOND REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the Second Regular Session of the 125th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD 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 LD is noted to the right of the LD title. The following describes the various final actions.

| | |
|---|--|
| <i>CARRIED OVER</i> | <i>carried over to a subsequent session of the Legislature</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; legislation died</i> |
| <i>DIED BETWEEN HOUSES</i> | <i>House & Senate disagreed; legislation died</i> |
| <i>DIED IN CONCURRENCE</i> | <i>defeated in each house, but on different motions; legislation died</i> |
| <i>DIED ON ADJOURNMENT</i> | <i>action incomplete when session ended; legislation died</i> |
| <i>EMERGENCY</i> | <i>enacted law takes effect sooner than 90 days after session adjournment</i> |
| <i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i> | <i>emergency failed to receive required 2/3 vote</i> |
| <i>FAILED, ENACTMENT or FINAL PASSAGE</i> | <i>failed to receive final majority vote</i> |
| <i>FAILED, MANDATE ENACTMENT</i> | <i>legislation proposing local mandate failed required 2/3 vote</i> |
| <i>HELD BY GOVERNOR</i> | <i>Governor has not signed; final disposition to be determined at subsequent session</i> |
| <i>LEAVE TO WITHDRAW</i> | <i>sponsor's request to withdraw legislation granted</i> |
| <i>NOT PROPERLY BEFORE THE BODY</i> | <i>ruled out of order by the presiding officer; legislation died</i> |
| <i>INDEF PP</i> | <i>indefinitely postponed; legislation died</i> |
| <i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i> ... | <i>ought-not-to-pass report accepted; legislation 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>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 of the 125th Legislature is Thursday, August 30, 2012. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Health and Human Services

LD 1851

An Act To Amend the Laws Concerning Municipal Inspections of Establishments

PUBLIC 589

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------------|-------------------------|---------------------------|
| STRANG BURGESS MCCORMICK | OTP-AM | H-824 |

The purpose of this bill is to remove language that prohibits a municipality from licensing eating establishments. The bill also corrects a conflict created by Public Law 2011, chapters 193 and 295, which affected the same provision of law. The bill repeals the provision and replaces it with the chapter 295 version.

Committee Amendment "A" (H-824)

This amendment clarifies that any inspections of establishments by municipalities that have not been delegated authority by the Department of Health and Human Services are void.

Enacted Law Summary

Public Law 2011, chapter 589 clarifies that any inspections of establishments by municipalities that have not been delegated authority by the Department of Health and Human Services are void.

LD 1855

An Act Regarding the Fund for a Healthy Maine's Prevention, Education and Treatment Activities Concerning Unhealthy Weight and Obesity

PUBLIC 617

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| | OTP-AM | H-830 |

This bill is the report of the Joint Standing Committee on Health and Human Services pursuant to Joint Order H.P. 1355. It proposes changes to the Fund for a Healthy Maine as recommended by the Commission To Study Allocations of the Fund for a Healthy Maine established pursuant to Resolve 2011, chapter 112. It adds prevention, education and treatment activities concerning unhealthy weight and obesity to the health promotion purposes of the fund. It requires the Commissioner of Administrative and Financial Services to review the program structure for the programs of the fund and to recommend a new program structure, including a program for prevention, education and treatment activities concerning unhealthy weight and obesity, to be used in the state budget beginning in fiscal year 2014-15. It directs the commissioner to report to the Legislature on the review and recommendations by October 1, 2012.

Committee Amendment "A" (H-830)

This amendment clarifies that the Commissioner of Administrative and Financial Services in consultation with the Commissioner of Health and Human Services is required to create a separate entry for prevention, education and treatment activities concerning unhealthy weight and obesity to be used in the state budget beginning in fiscal year 2014-15. The entry must include the funds being spent on obesity prevention. By October 1, 2012, the Commissioner of Administrative and Financial Services is required to make a progress report to the Legislature on creating the separate entry.

Enacted Law Summary