

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
126<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



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

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

July 2013

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# STATE OF MAINE

126<sup>TH</sup> LEGISLATURE

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## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 126<sup>th</sup> 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.

*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; legislation died  
*DIED BETWEEN HOUSES*.....House & Senate disagreed; legislation died  
*DIED IN CONCURRENCE*.....defeated in each house, but on different motions; legislation died  
*DIED ON ADJOURNMENT*..... action incomplete when session ended; legislation died  
*EMERGENCY*..... enacted law takes effect sooner than 90 days after session adjournment  
*FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE* ..... emergency failed to receive required 2/3 vote  
*FAILED, ENACTMENT or FINAL PASSAGE*..... failed to receive final majority vote  
*FAILED, MANDATE ENACTMENT* ..... legislation proposing local mandate failed required 2/3 vote  
*HELD BY GOVERNOR*..... Governor has not signed; final disposition to be determined at subsequent session  
*LEAVE TO WITHDRAW*..... sponsor's request to withdraw legislation granted  
*NOT PROPERLY BEFORE THE BODY* ..... ruled out of order by the presiding officer; legislation died  
*INDEF PP*..... indefinitely postponed; legislation died  
*ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X*... ought-not-to-pass report accepted; legislation died  
*P&S XXX*..... chapter # of enacted private & special law  
*PUBLIC XXX*.....chapter # of enacted public Law  
*RESOLVE XXX*..... chapter # of finally passed resolve  
*VETO SUSTAINED*..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 126<sup>th</sup> Legislature is October 9, 2013. 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*

amendment also adds an appropriations and allocations section.

This bill was committed to the Joint Standing Committee on Appropriations and Financial Affairs and carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

**LD 88 An Act To Update the Maine HIV Advisory Committee**

**PUBLIC 108**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAVEN FARNSWORTH	OTP-AM ONTP	S-32

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

This bill proposes to review and update the structure and duties of the Maine HIV Advisory Committee, as established in the Maine Revised Statutes, Title 5, section 12004-I, subsection 42 and detailed in Title 5, section 19202.

**Committee Amendment "A" (S-32)**

This amendment strikes and replaces the bill. It changes the deadline for the annual report of the Maine HIV Advisory Committee from January 31st to March 1st. The amendment changes the membership on the Maine HIV Advisory Committee so that it includes two Legislators, five representatives of state agencies, four persons living with HIV/AIDS, two representatives of populations most affected by HIV/AIDS in the State, two providers of HIV-related services, two representatives of the public health community and two additional members chosen by the membership.

**Enacted Law Summary**

Public Law 2013, chapter 108 changes the deadline for the annual report of the Maine HIV Advisory Committee from January 31st to March 1st. The law changes the membership on the Maine HIV Advisory Committee so that it includes two Legislators, five representatives of state agencies, four persons living with HIV/AIDS, two representatives of populations most affected by HIV/AIDS in the State, two providers of HIV-related services, two representatives of the public health community and two additional members chosen by the membership.

**LD 95 Resolve, To Create the Task Force on the Prevention of Sexual Abuse of Children**

**INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAKER HASKELL	OTP-AM	H-79

This resolve establishes the Task Force on the Prevention of Sexual Abuse of Children, which is directed to study issues regarding child sexual abuse in Maine and to recommend policies to address those issues. The policies may include age-appropriate curricula for school children from prekindergarten to grade five and methods to increase teacher, student and parent awareness of the issues regarding child sexual abuse. The task force is also directed to submit a report to the Joint Standing Committee on Health and Human Services, and the joint standing committee is authorized to introduce a bill to the Second Regular Session of the 126th Legislature based on that report.

**Committee Amendment "A" (H-79)**

*Joint Standing Committee on Health and Human Services*

This amendment incorporates a fiscal note.

**LD 123      Resolve, Directing the Department of Health and Human Services To Clarify the Processes Regarding Registration of Recovery Agencies for Tissue and Organ Donation**

**RESOLVE 58**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAVEN KRUGER	OTP-AM	S-149

This bill enacts the Anatomical Recovery Organization Act to require a person or entity that performs anatomical recovery in this State to register as an anatomical recovery organization. The bill provides penalties for performing anatomical recovery without having registered. The bill requires records to be kept on the receipt, use, processing, transplantation, transfer and disposal of all human bodies and body parts. The bill authorizes the department to adopt routine technical rules to implement the chapter.

**Committee Amendment "A" (S-149)**

This amendment replaces the bill with a resolve. It requires the Department of Health and Human Services, Maine Center for Disease Control and Prevention to examine the current processes for registration for recovery agencies engaged in tissue and organ donation and determine if the current policies and processes in the office of the Chief Medical Examiner and the department meet the statutory requirements under the Revised Uniform Anatomical Gift Act. The department must consult with the office of the Chief Medical Examiner, the office within the Department of the Secretary of State that issues driver's licenses, the coordinator of the Maine Organ Donor Registry within the office of the Secretary of State, the Organ Donation Advisory Council, the New England Organ Bank and other interested parties including funeral directors. The department must report its findings, recommendations and suggested legislation to the Joint Standing Committee on Health and Human Services no later than January 1, 2014.

**Enacted Law Summary**

Resolve 2011, chapter 58 requires the Department of Health and Human Services, Maine Center for Disease Control and Prevention to examine the current processes for registration for recovery agencies engaged in tissue and organ donation and determine if the current policies and processes in the office of the Chief Medical Examiner and the department meet the statutory requirements under the Revised Uniform Anatomical Gift Act. The department must consult with the office of the Chief Medical Examiner, the office within the Department of the Secretary of State that issues driver's licenses, the coordinator of the Maine Organ Donor Registry within the office of the Secretary of State, the Organ Donation Advisory Council, the New England Organ Bank and other interested parties including funeral directors. The department must report its findings, recommendations and suggested legislation to the Joint Standing Committee on Health and Human Services no later than January 1, 2014.

**LD 132      Resolve, To Provide Organic Infant Formula through the Maine Women, Infants and Children Program**

**ONTP**

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

This resolve requires the Department of Health and Human Services to amend its rules for the Maine Women, Infants and Children Program on contracting with the manufacturer of infant formula to make organic infant formula available to participants. It requires the Maine Women, Infants and Children Program to offer organic infant formula, as the sole product or as a choice, if the organic formula meets federal and state program requirements and is available for a cost that is equal to or less than infant formula that is not organic. It specifies that the rules are to be routine technical rules.