

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH 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

126TH LEGISLATURE

FIRST REGULAR SESSION



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 126th 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 126th 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

through education and prevention programs. The department is directed to invite interested parties to serve on the task force and to make its findings available to the public in distributable format and online.

Committee Amendment "A" (H-344)

This amendment is the majority report of the committee. The amendment retains the duties of the task force proposed in the resolve and changes that task force into the Commission To Study the Incidence of and Mortality Related to Cancer. This amendment provides for appointments of 13 members by the President of the Senate and the Speaker of the House. This amendment directs the commissioners of several state agencies to provide information and data to the commission. This amendment authorizes the Legislative Council to provide staffing to the commission. This amendment directs the commission to submit a report to the Joint Standing Committee on Health and Human Services by December 4, 2013.

See also LD 1574.

LD 1047 Resolve, To Provide a Better Transition for Foster Children to Independent Adulthood

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY KATZ		

This resolve directs the Commissioner of Health and Human Services to review and analyze services for persons in foster care making the transition to independent adulthood, including services provided under a voluntary extended support agreement, also known as a V9 agreement. The commissioner is required to submit a report containing the results of the review and analysis to the Joint Standing Committee on Health and Human Services by January 15, 2014, and the committee is authorized to submit a bill regarding the report to the Second Regular Session of the 126th Legislature.

This bill was 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 1062 An Act To Add Conditions That Qualify for Medical Marijuana Use

PUBLIC 361

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DICKERSON GERZOFKY	OTP-AM ONTP	H-398

This bill amends the Maine Medical Use of Marijuana Act to add to the list of debilitating medical conditions for which a physician may certify the use of medical marijuana. The conditions added are post-traumatic stress disorder, opiate or pharmaceutical drug addiction and recovery and any other medical condition or its treatment as determined by a physician.

Committee Amendment "A" (H-398)

This amendment is the majority report of the committee. The amendment revises the listed medical conditions that qualify a patient for the medical use of marijuana. The amendment adds to the list of conditions post-traumatic stress disorder, inflammatory bowel disease, dyskinetic and spastic movement disorders and otehr diseases ccausing severe and persistent myuscle spasms. The amendment removes from the list of conditions Crohn's disease and a chronic or debilitating disease or medical condition or its treatment that produces severe and persistent muscle spasms, including but not limited to those characteristic of multiple sclerosis.

Joint Standing Committee on Health and Human Services

Enacted Law Summary

Public Law 2013, chapter 361 revises the listed medical conditions that qualify a patient for the medical use of marijuana. The law adds to the list of conditions post-traumatic stress disorder, inflammatory bowel disease, dyskinetic and spastic movement disorders and otehr diseases ccausing severe and persistent myuscle spasms. The law removes from the list of conditions Crohn's disease and a chronic or debilitating disease or medical condition or its treatment that produces severe and persistent muscle spasms, including but not limited to those characteristic of multiple sclerosis.

LD 1063 An Act To Remove a Conflict in the Law Restricting the Sale or Purchase of Targeted Methamphetamine Precursors

**PUBLIC 223
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WILLETTE BURNS	OTP	

Public Law 2011, chapter 584 made changes to the law restricting the sale of targeted methamphetamine precursors, including setting a limit of 3.6 grams of targeted methamphetamine precursors that could be sold in a 24-hour period to the same person; this limit is the same as in federal law. At the time Public Law 2011, chapter 584 was enacted, the law prohibited the sale of targeted methamphetamine precursors to no more than 3 grams and also restricted the number of packages sold per transaction.

This bill repeals the restriction on the number of packages of medication containing pseudoephedrine that may be sold at one time, leaving the 3.6 gram per month maximum in place. The requirement that the targeted methamphetamine precursors be sold in blister packages is also repealed since this is already a federal requirement under the federal Combat Methamphetamine Epidemic Act.

Enacted Law Summary

Public Law 2013, chapter 223 repeals the restriction on the number of packages of medication containing pseudoephedrine that may be sold at one time, leaving the 3.6 gram per month maximum in place. The requirement that the targeted methamphetamine precursors be sold in blister packages is repealed by this law since this is already a federal requirement under the federal Combat Methamphetamine Epidemic Act.

Public Law 2013, chapter 223 was enacted as an emergency measure effective June 10, 2013.

LD 1064 Resolve, To Establish the Task Force on Independence from Public Assistance

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NEWENDYKE FLOOD	OTP-AM	H-270

This resolve establishes the Task Force on Independence from Public Assistance. The task force must meet up to eight times, consists of nine members and must report by December 4, 2013 with its findings and recommendations and suggested legislation to the Joint Standing Committee on Health and Human Services.

Committee Amendment "A" (H-270)

This amendment increases the membership of the Task Force on Independence from Public Assistance from nine members to 13 members. In addition to the task force's duties in the resolve, the amendment requires the task force to identify provisions in current state policy, law and rules that penalize or create a disincentive to work and make