

# 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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\*Rep. Jane P. Pringle temporarily appointed for the duration of the absence of Rep. Matthew Peterson on the Health and Human Services Committee

# 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*

**Senate Amendment "A" To Committee Amendment "A" (S-357)**

This amendment delays until March 1, 2015 increasing MaineCare reimbursement for ambulance services to 65% of the average allowable Medicare rate.

**LD 1284 An Act Regarding Delayed Birth Registration**

**DIED BETWEEN HOUSES**

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

This bill removes an affidavit of personal knowledge as an accepted document as evidence of birth required for a delayed registration of birth. The bill also changes from more than 15 years to 15 years or more the number of years after which supporting documentation is required as evidence.

**Committee Amendment "A" (S-205)**

This amendment, which is the majority report of the committee, adds to the bill by allowing for the use of an affidavit of personal knowledge to establish delayed registration of birth only when there are insufficient supporting documents and with the approval of the State Registrar of Vital Statistics. The Department of Health and Human Services is directed to adopt rules. The department's rules may allow for the use of court determination of paternity if it can be used to establish parentage prior to the filing of the delayed birth certificate and must allow for the use of an affidavit of personal knowledge only when insufficient reporting documents are available and with approval of the state registrar.

**LD 1294 An Act To Increase the Penalty for Smoking in a Motor Vehicle When a Child Is Present**

**ONTP**

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

This bill increases the fine for smoking in a motor vehicle when a child is present from \$50 for all offenses to \$250 for a first offense and \$500 for a second or subsequent offense. It requires fines to be deposited in the Fund for a Healthy Maine and used for smoking cessation activities. The court is required to report information regarding a person who is adjudicated of a third or subsequent offense to the office of the Department of Health and Human Services responsible for child protection. It allows an offender the option of taking a class on the dangers of secondhand smoke to children and receiving a fine waiver for a first offense and requires an offender to take a class on the dangers of secondhand smoke to children for a second offense if the offender has not taken this class before.

**LD 1333 Resolve, Directing the Department of Health and Human Services To Amend the MaineCare Benefits Manual**

**DIED ON ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAVEN ROTUNDO	OTP-AM	S-206

This resolve directs the Department of Health and Human Services to amend its rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 45.03 to pay a distinct psychiatric unit discharge rate equal to \$9,128.31 per