

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

STATE OF MAINE  
127<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**

August 2015

**STAFF:**

ANNA BROOME, LEGISLATIVE ANALYST  
MICHAEL O'BRIEN, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670  
AND  
LUKE LAZURE, LEGISLATIVE ANALYST  
OFFICE OF FISCAL AND PROGRAM REVIEW  
5 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1635

**MEMBERS:**

SEN. ERIC L. BRAKEY, CHAIR  
SEN. EARLE L. MCCORMICK  
SEN. ANNE M. HASKELL  
  
REP. DREW GATTINE, CHAIR  
REP. PETER C. STUCKEY  
REP. MATTHEW J. PETERSON  
REP. SCOTT M. HAMANN  
REP. CHRISTINE S. BURSTEIN  
REP. PATRICIA HYMANSON  
REP. DEBORAH J. SANDERSON  
REP. RICHARD S. MALABY  
REP. FRANCES M. HEAD  
REP. KAREN VACHON

# STATE OF MAINE

127<sup>TH</sup> 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 127<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. An appendix provides a summary of relevant session statistics.

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 &amp; 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&amp;S XXX</i> .....	<i>chapter # of enacted private &amp; 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 First Regular Session of the 127<sup>th</sup> Legislature is October 15, 2015. 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*

The department is required to report its findings, including recommendations and suggested legislation, to the joint standing committee of the Legislature having jurisdiction over health and human services matters no later than March 15, 2017.

### **Committee Amendment "A" (H-320)**

This amendment, which is the minority report of the committee, incorporates a fiscal note.

### **Senate Amendment "A" (S-312)**

This amendment removes the penalties established in the bill. The amendment also removes the requirements for the Department of Health and Human Services to develop an education program for the recipients of Temporary Assistance for Needy Families program benefits and to collect information on the costs and impact of implementing and enforcing the prohibitions in the bill.

This amendment was not adopted.

**LD 1149      Resolve, Directing the Maine Center for Disease Control and Prevention      **CARRIED OVER**  
To Report on Progress toward Meeting Healthy Maine 2020 Goals  
Pertaining to Reproductive Health**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURSTEIN GRATWICK		

This resolve directs the Department of Health and Human Services, Maine Center for Disease Control and Prevention to report by October 1, 2015 to the Joint Standing Committee on Health and Human Services on state-led efforts to achieve goals identified in its document "Healthy Maine 2020" pertaining to reproductive health. The report must include an explanation of failed or failing efforts to meet a goal and evidence-based strategies or recommendations on how state programs can meet the goal and a description of the State's efforts to improve the health and welfare of its citizens, including efforts to increase high school graduation rates. The joint standing committee is authorized to report out a bill based on the report to the Second Regular Session of the 127th Legislature.

This resolve was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

**LD 1162      An Act To Ensure Safe Drinking Water for Maine Families      **Veto Sustained****

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GATTINE HASKELL	OTP-AM ONTP	H-333

This bill improves testing for and treatment of contaminants in residential private drinking water wells that are otherwise exempt from state and federal safe drinking water laws. It requires the Department of Health and Human Services to develop a uniform testing recommendation for testing of residential private drinking water wells. It requires testing when residential private drinking water wells are constructed. The bill also establishes the Private Well Safe Drinking Water Fund to support educational outreach and to improve testing rates of residential private drinking water wells. The fund is funded by fees on the testing of residential private drinking water wells. The bill establishes a fund within the Maine State Housing Authority funded by fees on the installation of water treatment equipment for the purpose of providing persons of low income with affordable water treatment. It also requires the department to conduct educational outreach regarding the potential health effects of contaminants and the need for testing and treatment of residential private drinking water wells.

*Joint Standing Committee on Health and Human Services*

**Committee Amendment "A" (H-333)**

This amendment is the majority report of the committee. It makes the following changes to the bill.

1. It makes the addresses on copies of residential private drinking water well test results that are forwarded from laboratories to the Department of Health and Human Services confidential.
2. It removes the requirement for water testing when residential private drinking water wells are constructed. Instead the Maine Water Well Commission is required to develop educational materials to be distributed when a private residential well is drilled or deepened to inform the owners of the importance of testing for arsenic and other contaminants.
3. It funds the Private Well Safe Drinking Water Fund from fees on the testing of residential private drinking water wells conducted by the Health and Environmental Testing Laboratory.
4. It removes the fund for providing low-income persons with affordable water treatment held within the Maine State Housing Authority and funded by fees on the installation of water treatment equipment.
5. It removes the requirement for property disclosure statements to include the results of water tests conducted in the last three years.
6. It adds an appropriations and allocations section.

**LD 1170      Resolve, Regarding Legislative Review of Portions of Chapter 11: Rules Governing the Controlled Substances Prescription Monitoring Program, a Late-filed Major Substantive Rule of the Department of Health and Human Services**

**RESOLVE 16  
EMERGENCY**

Sponsor(s)

Committee Report

Amendments Adopted

OTP

This resolve provides for legislative review of portions of Chapter 11: Rules Governing the Controlled Substances Prescription Monitoring Program, a major substantive rule of the Department of Health and Human Services that was filed outside the legislative rule acceptance period.

**Enacted Law Summary**

Resolve 2015, chapter 16 provides for legislative review of portions of Chapter 11: Rules Governing the Controlled Substances Prescription Monitoring Program, a major substantive rule of the Department of Health and Human Services that was filed outside the legislative rule acceptance period. It changes the time period that dispensers must provide information to the Prescription Monitoring Program from seven days to the close of business on the next business day of the controlled substance being dispensed. It also clarifies that the required information includes the prescription being dispensed and delivered.

Resolve 2015, chapter 16 was finally passed as an emergency measure effective May 26, 2015.