

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH 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

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STATE OF MAINE

127TH 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 127th 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.

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 127th 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

LD 1236 An Act To Change the Type of Rulemaking Required Regarding Persons with Intellectual Disabilities or Autism

Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAKEY SANDERSON	ONTP OTP	

This bill changes from major substantive to routine technical the type of rulemaking the Commissioner of Health and Human Services is required to do regarding the provision of support services for persons with intellectual disabilities or autism.

LD 1237 An Act Regarding the Filing of Death and Marriage Records

PUBLIC 193

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAKEY SANDERSON	OTP-AM	S-205

This bill makes the following changes to the laws governing the filing of death and marriage records.

1. It authorizes the parties to a marriage, or the legal representatives of the parties to a marriage, that occurred more than one year previously to apply for a delayed certificate of marriage.
2. It establishes a procedure for registering an official record of death when a death is presumed to have occurred in the State but the body has not been located.

Committee Amendment "A" (S-205)

This amendment clarifies language of a provision of the bill allowing parties to a marriage that occurred more than one year previously to apply for a certificate of marriage.

Enacted Law Summary

Public Law 2015, chapter 193 makes the following changes to the laws governing the filing of death and marriage records.

1. It authorizes the parties to a marriage, or the legal representatives of the parties to a marriage, that occurred more than one year previously to apply for a certificate of marriage.
2. It establishes a procedure for registering an official record of death when a death is presumed to have occurred in the State but the body has not been located.

LD 1258 An Act To Amend the Maine Medical Use of Marijuana Act with Regard to Good Business Practices

ONTP

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

Joint Standing Committee on Health and Human Services

This bill amends the Maine Medical Use of Marijuana Act in the following ways.

1. It clarifies that a primary caregiver may cultivate up to six marijuana plants for each of up to five qualifying patients.
2. It allows a primary caregiver to employ or contract with more than one person to assist with the duties required of that primary caregiver. The Department of Health and Human Services is required to adopt rules regarding the licensing of these assistants.
3. It allows the Department of Health and Human Services to make onsite assessments of registered primary caregivers who cultivate marijuana for three or more registered patients at a time to ensure compliance.
4. It allows a registered primary caregiver to transfer excess prepared marijuana to a qualifying patient for reasonable compensation.
5. It provides that a primary caregiver or registered dispensary that receives compensation from a qualifying patient for the costs associated with cultivating marijuana for that qualifying patient or assisting that qualifying patient is required to register as a seller with the State Tax Assessor and collect and remit sales tax. Under the current law, marijuana is specifically excluded from the sales tax exemption for medicines.

LD 1267 An Act To Assist Working Families with Young Children

CARRIED OVER

Sponsor(s)

GATTINE
MILLETT

Committee Report

Amendments Adopted

This bill provides funding to the Department of Health and Human Services to leverage all available federal child care development funds.

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

LD 1268 An Act To Reform Welfare by Establishing Bridges to Sustainable Employment

CARRIED OVER

Sponsor(s)

GATTINE
HASKELL

Committee Report

Amendments Adopted

This bill makes the following changes to the laws governing public assistance, which are intended to provide bridges to employment:

1. Child care assistance begins on the date of application if the applicant is eligible;
2. The Department of Health and Human Services is directed to establish rules to provide uninterrupted access to subsidized child care for eligible persons with irregular hours of employment;
3. It provides Temporary Assistance for Needy Families, or TANF, benefits and alternative aid benefits to two parent families based on the same eligibility requirements as single-parent families have;
4. It changes the income amounts for TANF recipients who have employment earnings that are disregarded in