

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
128<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 2017

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\*Committee member for a portion of the session

# STATE OF MAINE

128<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 128<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.

*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 128<sup>th</sup> Legislature is Wednesday, November 1, 2017. 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*

that the treatment be provided by staff who are licensed to practice acupuncture in the State and whose licenses are in good standing. It provides that the project may last no longer than two years and must be reimbursable as allowed under the United States Social Security Act and be cost-neutral or result in savings to the MaineCare program. It requires the department and the office to report their findings to the joint standing committee of the Legislature having jurisdiction over health and human services matters at the end of the project.

**LD 186 An Act To Improve Peer Support Services**

**CARRIED OVER**

Sponsor(s)  
GATTINE D

Committee Report

Amendments Adopted

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

This bill proposes to improve peer support services provided to consumers of mental health services who are clients of the Department of Health and Human Services.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

**LD 219 An Act To Prioritize Use of Available Resources in General Assistance Programs**

**Died Between Houses**

Sponsor(s)  
BRAKEY E

Committee Report  
ONTP  
OTP-AM

Amendments Adopted

This bill makes an applicant for general assistance who voluntarily abandons or refuses to use an available resource without just cause ineligible to receive general assistance to replace the abandoned or refused resource for a period of 120 days from the date the applicant abandons or refuses the resource. The bill defines "available resource" as a resource that is immediately available or can be secured without delay. The bill also makes an applicant who forfeits an available resource due to fraud, misrepresentation or intentional violation or refusal to comply with rules without just cause ineligible to receive general assistance to replace the forfeited resource for the duration of the sanction imposed on the applicant for violation of a rule or 120 days, whichever is greater. The bill identifies circumstances relating to use of an available resource under which just cause must be found.

**Committee Amendment "A" (S-62)**

This amendment, which is the minority report of the committee, adds a cross-reference to provide that a person who is disqualified from general assistance for a violation of the provisions of the bill is ineligible for emergency general assistance.

This amendment was not adopted.

**LD 220 An Act To Align Time Limits in the Municipal General Assistance Program and Temporary Assistance for Needy Families Program**

**Died Between Houses**

Sponsor(s)  
BRAKEY E

Committee Report  
ONTP  
OTP-AM

Amendments Adopted

## *Joint Standing Committee on Health and Human Services*

This bill provides that a person who has exhausted the 60-month lifetime limit on Temporary Assistance for Needy Families program benefits is ineligible to receive municipal general assistance program benefits, except that a person who has been ineligible to receive benefits under the Temporary Assistance for Needy Families program for five or more years may be considered eligible and a person who is in the process of seeking an extension of benefits under the Temporary Assistance for Needy Families program may be considered eligible.

### **Committee Amendment "A" (S-61)**

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

This amendment was not adopted.

### **LD 221      An Act To Amend the Laws Regarding the Municipality of Responsibility for General Assistance Applicants Released from a State Correctional Facility or County Jail Facility**

**PUBLIC 130**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRATWICK G PIERCE J	OTP ONTP	

This bill repeals a provision of law that provides that when a general assistance applicant applies for benefits within 45 days of being released from a correctional facility, the municipality of financial responsibility for a period of 12 months is the applicant's municipality of residence prior to incarceration.

### **Enacted Law Summary**

Public Law 2017, chapter 130 repeals a provision of law that had provided that when a general assistance applicant applied for benefits within 45 days of being released from a correctional facility the municipality of financial responsibility for a period of 12 months was the applicant's municipality of residence prior to incarceration.

### **LD 223      An Act To Ensure the Timely Final Disposition of Human Remains**

**PUBLIC 38**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P	OTP-AM ONTP	S-14

This bill provides that the remains or dead body is considered abandoned if the person who has custody and control does not make a decision regarding disposition within 30 days.

### **Committee Amendment "A" (S-14)**

This amendment removes the provision in the bill regarding when remains or a dead body is considered abandoned and changes the title. It provides that a funeral director or practitioner may bury remains or a dead body if the person who has custody and control of the remains or dead body does not complete decision making regarding final disposition within 30 days of the person taking custody or control.

### **Enacted Law Summary**

Public Law 2017, chapter 38 provides that a funeral director or practitioner may bury remains or a dead body if the person who has custody and control of the remains or dead body does not complete decision making regarding final disposition within 30 days of the person taking custody or control.