

# 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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# 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*

This bill adds addiction to or dependency on opiates or prescription drugs to the list of qualifying conditions for medical marijuana.

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

**LD 447      An Act To Coordinate Services and Support Workforce Development for Substance Use Disorder Prevention and Peer Recovery Services      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAKER J BEEBE-CENTER P	ONTP	

This bill has three parts, Part A, requires the Department of Health and Human Services to fund, through a request for proposals, a position to coordinate substance use disorder prevention, advocacy, education and community outreach statewide and a position to coordinate peer recovery support services efforts for substance use disorder recovery statewide. The request for proposals must be issued no later than January 1, 2018, and the funds awarded beginning no later than July 1, 2018.

Part B of this bill provides funding for the request for proposals in Part A. Part B also provides ongoing funding for an annual in-state conference regarding substance use disorder prevention, treatment and recovery.

Part C of this bill requires the transfer of funds to the unappropriated surplus of the General Fund from the Medical Use of Marijuana Fund for the purposes of this bill.

**LD 448      An Act To Fund Research on Cancer in Firefighters      ONTP**

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

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

This bill proposes to appropriate funds for research on cancer in firefighters.

**LD 451      An Act To Continue MaineCare Coverage for Parents during the Rehabilitation and Reunification Process      Died Between Houses**

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

This bill requires the Department of Health and Human Services to continue to provide MaineCare coverage to a parent who is a MaineCare member and who is participating in rehabilitation and reunification efforts in accordance with a rehabilitation and reunification plan. The bill requires the department to continue coverage until the discontinuance of reunification efforts or parental rights are terminated, whichever is earlier.

**Committee Amendment "A" (S-105)**

This amendment, which is the majority report of the committee, requires the Department of Health and Human

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

Services to submit a waiver request no later than January 1, 2018, to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to implement the provisions of the Maine Revised Statutes, Title 22, section 3174-ZZ. The department is required to take all reasonable and necessary steps to seek approval of the waiver. Upon approval of the waiver, the department is directed to adopt rules no later than 180 days after receiving approval. The department is required to report its progress in seeking a waiver and implementing rules on a quarterly basis beginning October 1, 2017, until the process is complete. The amendment also adds an appropriations and allocations section.

This amendment was not adopted.

**LD 454      An Act To Ensure Safe Drinking Water for Families in Maine**

**PUBLIC 230**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VACHON K THIBODEAU M	OTP-AM ONTP OTP-AM	H-270

This bill expands the scope of the chapter regulating public water systems used for human consumption to include residential wells, and adds a new subchapter on private drinking water wells. The bill includes the following provisions.

1. Uniform recommendations. It requires the Department of Health and Human Services to develop a uniform recommendation for the testing of contaminants in residential private drinking water wells that are otherwise exempt from state and federal safe drinking water laws. It requires that anyone who recommends or provides testing of, or provides education or advertisements related to testing shall clearly identify the uniform recommendations.
2. Test results. The bill requires that laboratories provide the test results to the department for the purpose of recording multiple tests for the same well. It requires the department to keep addresses confidential.
3. Education. The bill requires the department to conduct educational outreach regarding the potential health effects of contaminants and the need for testing residential private drinking water wells. The bill requires the Maine Water Well Commission to develop educational materials to be distributed when a residential private drinking water well is drilled or deepened to inform the owners of the importance of testing for arsenic and other contaminants.
4. Fees. The bill 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 individuals or entities ordering a water test on a residential private drinking water well by the Health and Environmental Testing Laboratory within the department. This fee is not to exceed \$10 and is in addition to any fee charged by the department for the test itself (not to exceed \$150).
5. Rental property. The bill requires landlords or building managers of residential rental property that uses a residential private drinking water well to obtain a water test every three to five years. The tests must be disclosed to the current inhabitants and to any prospective tenants.
6. Water testing guide. The bill requires that the State lab update its water testing guide and related information on the publically accessible website to be consistent with this Act. The update must have a clear, simple-to-understand and prominent recommendation for testing of residential private drinking water wells.

**Committee Amendment "A" (H-270)**

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