

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH LEGISLATURE
FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON HEALTH AND
HUMAN SERVICES**

October 2018

STAFF:

ANNA BROOME, LEGISLATIVE ANALYST
ERIN LUNDBERG, 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
<http://legislature.maine.gov/opla/>

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STATE OF MAINE

128TH LEGISLATURE

FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contain summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Special, Second Regular and Second Special Sessions of the 128th 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 dates for non-emergency legislation enacted in the First Special, Second Regular or Second Special Sessions of the 128th Legislature are: Monday, February 5, 2018; Wednesday, August 1, 2018; and Thursday, December 13, 2018, respectively. 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 1873 An Act To Align State-funded Benefits with Federal Eligibility Standards

INDEF PP

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

This bill was not referred to committee.

Part A of this bill does the following:

1. It repeals the provision that requires the Department of Health and Human Services to provide a food supplement program benefit to noncitizens who would be eligible for federal Supplemental Nutrition Assistance Program benefits but for their status as aliens under the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996;
2. It repeals the provision that requires the Department of Health and Human Services to provide state supplemental security income for noncitizens who would be eligible for federal supplemental security income but for their status as aliens under the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996;
3. It repeals the provision that requires the Department of Health and Human Services to provide financial assistance to individuals who would be eligible for Temporary Assistance to Needy Families benefits but for their status as aliens under the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996; and
4. It includes an appropriations and allocations section.

Part B of this bill does the following:

1. It amends the definition of "eligible person" in the municipal general assistance laws to repeal the provision in state law that affirmatively provides that a person who is lawfully present in the United States or who is pursuing a lawful process to apply for immigration relief is eligible for municipal general assistance for up to 24 months and to instead state that these noncitizens are not eligible for state-funded general assistance; and
2. It includes an appropriations and allocations section.

LD 1874 Resolve, To Ensure the Continued Provision of Services to Maine Children and Families

**RESOLVE 56
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEEBE-CENTER P THIBODEAU M	OTP-AM ONTP	H-738

This resolve prohibits, until April 1, 2019, the Department of Health and Human Services from reducing, eliminating or redirecting services or funding relating to programs designed to protect children and families. The resolve also prohibits the department from cancelling contracts awarded pursuant to RFP number 201509167, Community Partnerships for Protecting Children, and requires the department to renew those contracts.

Committee Amendment "A" (H-738)

This amendment is the majority report of the committee. The amendment replaces the resolve. It provides that:

Joint Standing Committee on Health and Human Services

1. The Department of Health and Human Services must continue contracts with the Community Partnerships for Protecting Children programs through at least January 31, 2019, either by not terminating the contracts or by reentering and maintaining new contracts; and
2. The department must develop a plan for providing the services currently provided by the Community Partnerships for Protecting Children programs, including the Parents as Partners program, and the role of child abuse and neglect prevention councils. The department must report the plan to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 1, 2019. The joint standing committee may report out a bill on the subject matter of this resolve to the First Regular Session of the 129th Legislature.

Enacted Law Summary

Resolve 2017, chapter 56 requires the Department of Health and Human Services to continue contracts with the Community Partnerships for Protecting Children for child abuse prevention programs through at least January 31, 2019, either by not terminating the contracts or by reentering and maintaining new contracts. The department must develop a plan for providing the services currently provided by the Community Partnerships for Protecting Children programs, including the Parents as Partners program, and the role of child abuse and neglect prevention councils. The department must report the plan to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 1, 2019. The joint standing committee may report out a bill on the subject matter of this resolve to the First Regular Session of the 129th Legislature.

Resolve 2017, chapter 56 was finally passed as an emergency measure effective May 2, 2018.

LD 1899	Resolve, To Require the Department of Health and Human Services To Submit a State Plan Amendment Regarding Assets in Retirement and Education Accounts	Died On Adjournment
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CASAS O	OTP-AM	H-761

This resolve was carried over on the Special Appropriations Table from the Second Regular Session to the next special session by joint order S.P. 748.

This resolve requires the Department of Health and Human Services to prepare and submit a state plan amendment to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services in order to make a change in Medicaid eligibility requirements for individuals with disabilities who are living with dependent children by disregarding assets held in qualifying retirement and education accounts.

Committee Amendment "A" (H-761)

This amendment adds an appropriations and allocations section.

LD 1906	An Act To Allow Adults To Purchase Tobacco Products	INDEF PP
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANDERSON D		

This bill was carried over from the Second Regular Session to the next special session by joint order S.P. 748.