

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
129<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 2019

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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 129<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 129<sup>th</sup> Legislature is Thursday, September 19, 2019. 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 amendment adds an appropriations and allocations section.

This resolve was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

**LD 1129      An Act To Clarify Certain Provisions of the Maine Medical Use of Marijuana Act      PUBLIC 217**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JORGENSEN E DESCHAMBAULT S	OTP-AM	H-346

This bill clarifies the Maine Medical Use of Marijuana Act by:

1. Standardizing the term "caregiver retail store" by creating a definition of the term and replacing other variations of "retail store" in the Act with "caregiver retail store"; and
2. Defining "municipal approval" in the provisions regarding marijuana for medical use caregiver retail stores, dispensaries and facilities operating before the effective date of the Act as a specific examination and approval of the underlying use of the store, dispensary or facility, including a conditional use approval, site plan approval or issuance of a marijuana-specific business license and not including the issuance of a building, electrical or other similar permit that does not address the use of the structure or facility for which the permit was issued.

**Committee Amendment "A" (H-346)**

This amendment, which is the unanimous report of the committee, provides a different definition of "caregiver retail store" and clarifies the provisions regarding municipal approval of caregiver retail stores, registered dispensaries, marijuana testing facilities and manufacturing facilities.

**Enacted Law Summary**

Public Law 2019, chapter 217 defines the term "caregiver retail store" and clarifies what is required for a store to receive "municipal approval."

**LD 1132      An Act To Provide Additional Food Supplement Assistance for the Elderly and Persons with Disabilities      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FAY J	ONTP	

This bill requires the State to ensure that a household that includes a member who is elderly or disabled and that receives a federally funded benefit under the statewide food supplement program receives a minimum benefit of \$30 per month by providing a supplemental benefit if necessary.

**LD 1134      An Act To Set Aside Funds from Federal Block Grants for Certain Communities      CARRIED OVER**

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

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

This bill requires the Department of Health and Human Services to annually set aside 20% of each federal block grant it receives for the most vulnerable communities in the State and 10% of each federal block grant it receives for federally recognized Indian nations, tribes and bands in the State.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

### **LD 1135      *Resolve, To Increase Funding for Assertive Community Treatment***

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MADIGAN C DESCHAMBAULT S	OTP-AM ONTP	H-253 S-170    GRATWICK G

This resolve requires the Department of Health and Human Services to increase the MaineCare reimbursement rates for assertive community treatment by 25%, contract with a third party to conduct a rate study of reimbursement rates for assertive community treatment and report with findings by January 30, 2020. The department is authorized to set new rates based on the rate study as long as the rates are no lower than those in effect on April 1, 2019.

The resolve also includes an appropriations and allocations section.

#### **Committee Amendment "A" (H-253)**

This amendment, which is the majority report of the committee, amends the resolve to provide that the 25% rate increase for assertive community treatment is ongoing. It removes the directive to the Department of Health and Human Services to contract with a third party to conduct a rate study. It also replaces the appropriations and allocations section to reflect a change in funding.

#### **Senate Amendment "A" To Committee Amendment "A" (S-170)**

This amendment removes the emergency preamble and emergency clause and removes the fiscal year 2018-19 appropriation and reduces the fiscal year 2019-20 appropriation due to the delayed implementation.

This resolve was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

### **LD 1137      *An Act To Clarify the Background Check Process for Certain Child Care Workers***

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MADIGAN C MILLETT R	ONTP	

This bill removes the requirement that the Department of Health and Human Services, Background Check Center be used to screen prospective employees of child care facilities and family child care providers. Instead, this bill allows the criminal background check used for new and continuing school employees to fulfill the state and federal requirements for a mandatory criminal background check for a person who provides child care in a child care facility, a family child care provider and a person who provides day care in that person's home for one or two children whose care is paid for by state or federal funds.