

# 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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# STATE OF MAINE

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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, which is the unanimous report of the committee, replaces the bill, which is a concept draft. It corrects technical conflicts and other errors or inconsistencies that resulted when both Public Law 2017, chapter 447 and Public Law 2017, chapter 452 were enacted in the 128th Legislature. It also provides that a registered caregiver, registered dispensary, marijuana testing facility and manufacturing facility are required to pay all costs and fees associated with the use of the statewide electronic portal for record keeping.

### **Enacted Law Summary**

Public Law 2019, chapter 331 corrects technical conflicts and other errors or inconsistencies that resulted when both Public Law 2017, chapter 447 and Public Law 2017, chapter 452 were enacted in the 128th Legislature. It also provides that a registered caregiver, registered dispensary, marijuana testing facility and manufacturing facility are required to pay all costs and fees associated with the use of the statewide electronic portal for record keeping.

**LD 1510**     **Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97: Private Non-Medical Institution Services and Appendices B, C, D, E and F, a Late-filed Major Substantive Rule of the Department of Health and Human Services**

**RESOLVE 39  
EMERGENCY**

Sponsor(s)

Committee Report

Amendments Adopted

OTP

This resolve provides for legislative review of portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97: Private Non-Medical Institution Services and Appendices B, C, D, E and F, a major substantive rule of the Department of Health and Human Services that was filed outside the legislative rule acceptance period.

### **Enacted Law Summary**

Resolve 2019, chapter 39 authorizes the Department of Health and Human Services to adopt the major substantive rules for portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97: Private Non-Medical Institution Services and Appendices B, C, D, E and F.

Resolve 2019, chapter 39 was finally passed as an emergency measure effective May 30, 2019.

**LD 1512**     **An Act Regarding Persons Who Are Found Not Criminally Responsible and Are Sent out of State for Treatment**

**PUBLIC 405**

Sponsor(s)

Committee Report

Amendments Adopted

GATTINE D  
BREEN C

OTP-AM

H-469

This bill concerns persons charged with crimes who are judged not criminally responsible by reason of insanity who are placed in an institution outside the State.

The bill:

1. Requires the court, before placing a person in an institution outside the State or upon request of the person after being placed outside the State, to conduct a hearing to find that the institution is the least restrictive placement, that there is not an equivalent placement within the State and that the institution outside the State will comply with state reporting requirements;
2. Requires an institution outside the State in which a patient is placed to provide quarterly status reports on the