

# 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*

**LD 1792 An Act To Ensure Compliance with Federal Family First Prevention Services Legislation**

**PUBLIC 399**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MADIGAN C	OTP-AM	H-611

This bill requires the Department of Health and Human Services to adopt rules for children's residential care facilities that include procedures for fingerprint-based background checks and child abuse and neglect registry checks for all staff working in the facility to ensure compliance with the requirements governing fingerprint-based background checks contained in federal family first prevention services legislation.

**Committee Amendment "A" (H-611)**

This amendment strikes and replaces the bill to be consistent with criminal history record check practices. It incorporates provisions that address existing technical conflicts in the criminal history record check statutes. It also defines "staff member" to allow fingerprinting of applicants for employment as well as employees of children's residential care facilities.

**Enacted Law Summary**

Public Law 2019, chapter 399 requires the Department of Health and Human Services to conduct fingerprint-based background checks consistent with criminal history record check practices and child abuse and neglect registry checks for all staff members working in the facility to ensure compliance with the requirements governing fingerprint-based background checks contained in federal family first prevention services legislation. It addresses existing technical conflicts in the criminal history record check statutes.

**LD 1801 An Act To Ensure Compliance with Federal Requirements for Background Checks of Certain Department of Health and Human Services Employees**

**PUBLIC 402**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HYMANSON P	OTP-AM	H-612

This bill amends the child support enforcement laws to implement background investigative checks for employees, prospective employees and contractors with access to federal tax information in compliance with the United States Internal Revenue Services' Publication 1075, which requires fingerprinting of all affected individuals. This bill amends provisions relating to the Department of Public Safety, Bureau of State Police, State Bureau of Identification that set forth the procedures for taking and processing fingerprints. This bill authorizes the department to adopt rules to conduct background checks. This bill also corrects a conflict created by Public Law 2017, chapters 452 and 457, which affected the same provision of law, by incorporating the changes made by both laws.

**Committee Amendment "A" (H-612)**

This amendment strikes and replaces the bill to be consistent with criminal history record check practices. It incorporates provisions that address existing technical conflicts in the criminal history record check statutes.

**Enacted Law Summary**

Public Law 2019, chapter 402 amends the child support enforcement laws to implement background investigative checks for employees, prospective employees and contractors with access to federal tax information in compliance with the United States Internal Revenue Services' Publication 1075, which requires fingerprinting of all affected individuals. It amends provisions relating to the Department of Public Safety, Bureau of State Police, State Bureau