

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH LEGISLATURE
FIRST SPECIAL AND SECOND REGULAR SESSIONS



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

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

November 2020

STAFF:

ANNA BROOME, SENIOR LEGISLATIVE ANALYST
ERIN DOOLING, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
<http://legislature.maine.gov/legis/opla/>
AND
LUKE LAZURE, SENIOR LEGISLATIVE ANALYST
OFFICE OF FISCAL AND PROGRAM REVIEW
5 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1635

MEMBERS:

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STATE OF MAINE

129TH LEGISLATURE
FIRST REGULAR SESSION



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 129th 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 129th 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 1984 An Act To Eliminate Waiting Lists for Home and Community-based Services for Adults with Intellectual Disabilities, Autism, Brain Injury and Other Related Conditions

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLETT R HYMANSON P		

This bill amends the system of care for adults with intellectual disabilities, autism, brain injury and other related conditions to reduce and eliminate MaineCare waiver waiting lists for home and community-based services.

This bill, which had been voted but not yet been reported by the committee, was carried over in committee to any special session of the 129th Legislature by joint order, S.P. 788.

LD 2051 An Act To Amend the Qualifications for the State Nuclear Safety Inspector

PUBLIC 589

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRATWICK G	OTP	

This bill amends the qualifications for the State Nuclear Safety Inspector position to increase the required minimum number of years of experience in nuclear operations from three to four and to change the degree required of the person holding the position from a master's degree to a bachelor's degree.

Enacted Law Summary

Public Law 2019, chapter 589 amends the qualifications for the State Nuclear Safety Inspector position to increase the required minimum number of years of experience in nuclear operations from three to four and to change the degree required of the person holding the position from a master's degree to a bachelor's degree.

LD 2052 An Act To Enact Restrictions on Electronic Smoking Devices and New Tobacco Products

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLETT R HYMANSON P	ONTP	

This bill:

1. Generally prohibits selling, furnishing, giving away or offering to sell, furnish or give away electronic smoking devices and nicotine liquid;
2. Allows a registered dispensary under the Maine Medical Use of Marijuana Act to continue to sell electronic smoking devices as part of its authorized activity as a dispensary;
3. Allows tobacco retailers to sell electronic smoking devices and nicotine liquid after the Department of Health and Human Services has adopted governing rules. These rules are permitted only after the United States Department of Health and Human Services, Food and Drug Administration approves the use of electronic smoking

Joint Standing Committee on Health and Human Services

devices as an evidence-based tobacco cessation strategy and promulgates regulations relating to the manufacture, testing, sale and use of the devices and the federal Secretary of Health and Human Services issues an order authorizing the devices to be introduced or delivered for introduction into interstate commerce;

4. Allows marijuana stores to sell electronic smoking devices after the Department of Administrative and Financial Services adopts rules governing the sale of the devices by a marijuana store. The rules may be adopted only after the federal Secretary of Health and Human Services issues an order authorizing the devices to be introduced or delivered for introduction into interstate commerce; and

5. Prohibits the sale of other new tobacco products until the Department of Health and Human Services adopts rules governing their sale. The rules governing a new tobacco product may be adopted only after the federal Secretary of Health and Human Services issues an order authorizing the new product to be introduced or delivered for introduction into interstate commerce.

LD 2053 An Act To Remove the Application of the Maine Background Check Center Act to Facilities That Provide Services to Children

PUBLIC 660

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRATWICK G	OTP	

This bill removes the application of the Maine Background Check Center Act to facilities that provide services for children and to individuals working as direct care workers in such facilities.

Enacted Law Summary

Public Law 2019, chapter 660 removes the application of the Maine Background Check Center Act to facilities that provide services for children and to individuals working as direct care workers in such facilities.

LD 2054 An Act To Consolidate Certain Reporting Requirements of the Department of Health and Human Services

PUBLIC 612

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRATWICK G	OTP	

This bill consolidates reporting requirements regarding Department of Health and Human Services planning for and activities concerning the State's aging population and incapacitated and dependent adults and the department's quality assurance review committee's recommendations and activities. It also repeals requirements for annual press releases and reports by the Commissioner of Health and Human Services regarding department spending, welfare fraud-related statistics, contracting services, grants received from the Federal Government and total out-of-state travel costs for employees.

Enacted Law Summary

Public Law 2019, chapter 612 consolidates reporting requirements regarding Department of Health and Human Services planning for and activities concerning the State's aging population and incapacitated and dependent adults and the department's quality assurance review committee's recommendations and activities. It also repeals requirements for annual press releases and reports by the Commissioner of Health and Human Services regarding department spending, welfare fraud-related statistics, contracting services, grants received from the Federal Government and total out-of-state travel costs for employees.