

STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



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

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

August 2015

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Joint Standing Committee on Health and Human Services

LD 5 An Act To Increase the Limit on the Number of Patients a Primary Caregiver May Provide for under the Medical Marijuana Laws Died In Concurrence

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RUSSELL	OTP-AM ONTP	H-456

This bill repeals the provision in the Maine Medical Use of Marijuana Act that limits to five the number of qualifying patients a primary caregiver may assist.

Committee Amendment "A" (H-456)

This amendment replaces the bill and changes the title. The amendment increases the limit on the number of qualifying patients a primary caregiver may assist from five to 20, but caps a primary caregiver's plant cultivation at 30 mature marijuana plants for that primary caregiver's qualifying patients. The amendment also adds an appropriations and allocations section.

LD 7 Resolve, Regarding Legislative Review of Portions of Chapter 101, MaineCare Benefits Manual, Chapter III, Section 21: Allowances for Home and Community Benefits for Adults with Intellectual Disabilities or Autistic Disorder, a Major Substantive Rule of the Department of Health and Human Services RESOLVE 1 EMERGENCY

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

This resolve provides for legislative review of portions of Chapter 101, MaineCare Benefits Manual, Chapter III, Section 21: Allowances for Home and Community Benefits for Adults with Intellectual Disabilities or Autistic Disorder, a major substantive rule of the Department of Health and Human Services.

Enacted Law Summary

Resolve 2015, chapter 1 provides for legislative review of portions of Chapter 101, MaineCare Benefits Manual, Chapter III, Section 21: Allowances for Home and Community Benefits for Adults with Intellectual Disabilities or Autistic Disorder, a major substantive rule of the Department of Health and Human Services.

Resolve 2015, chapter 1 was finally passed as an emergency measure effective March 17, 2015.

LD 20 An Act To Improve Substance Abuse Treatment ONTP

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to improve the delivery of substance abuse treatment. The sponsor proposed an amendment that would establish a Drug Court in the Bangor District Court or the Penobscot County Superior Court.

Public Law 2015, chapter 267 included funding for increased district court judge positions to expand the availability

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of drug courts as well as complementary services provided by the Office of Substance Abuse and Mental Health Services within the Department of Health and Human Services.

LD 21 An Act To Amend the Medical Marijuana Laws ONTP

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

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to amend the Maine Medical Use of Marijuana Act.

LD 23 An Act To Remove from the Maine Medical Use of Marijuana Act the Requirement That a Patient's Medical Condition Be Debilitating Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RUSSELL	OTP ONTP	

This bill removes from the Maine Medical Use of Marijuana Act any limitation on the type of medical conditions for which patients may be certified by their physicians to engage in the medical use of marijuana.

House Amendment "A" (H-484)

This amendment strikes from the bill the provisions that remove from the Maine Medical Use of Marijuana Act the requirement that a patient's medical condition be debilitating. The amendment provides that anxiety, insomnia, depression, Tourette's syndrome, autism and Parkinson's disease are debilitating medical conditions under the Maine Medical Use of Marijuana Act.

This amendment was not adopted.

LD 35 An Act To Provide Legal Protection to Hospitals where Admitted Qualifying Patients Use Smokeless Forms of Medical Marijuana Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAKEY RUSSELL	OTP-AM	S-220

This bill adds hospitals to the list of eligible primary caregivers for qualifying patients, adds hospitals to the universe of medical facilities where qualifying patients may use and store forms of smokeless, prepared marijuana and eliminates the ability of these medical facilities to prohibit or restrict the use or storage of smokeless, prepared marijuana by a qualifying patient.

Committee Amendment "A" (S-220)

This amendment replaces the bill and changes the title. The amendment provides legal protection to hospitals and officers, board members, agents and employees of hospitals when the use of smokeless forms of medical marijuana occurs in the hospital by admitted patients who are certified to do so in accordance with the Maine Medical Use of Marijuana Act.

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**LD 45 An Act To Exempt Certain Capital Expenditures from the Maine
Certificate of Need Act of 2002**

**Died Between
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MALABY	ONTP OTP	

This bill provides that capital expenditures that result in no net increase in MaineCare costs do not require a certificate of need.

**LD 63 Resolve, To Require the Department of Health and Human Services To
Provide Supplemental Reimbursement to Adult Family Care Homes and
Residential Care Facilities in Remote Island Locations**

**RESOLVE 45
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KUMIEGA BREEN	OTP-AM ONTP	H-49

This resolve requires the Department of Health and Human Services to amend its rules governing MaineCare reimbursement for both adult family care services and private nonmedical institution services to provide supplemental MaineCare reimbursement of an additional 15 percent to adult family care homes and residential care facilities in remote island locations.

Committee Amendment "A" (H-49)

This amendment, which is the majority report of the committee, makes the following changes to the resolve.

1. It adds an emergency preamble and emergency clause.
2. It requires the Department of Health and Human Services to amend its rules to provide supplemental reimbursement to adult family care homes and residential care facilities in remote island locations in the resolve by October 1, 2015.
3. It allows the Department of Health and Human Services to adopt the rules as an emergency without the necessity of demonstrating that immediate adoption is necessary to avoid a threat to public health, safety or general welfare.
4. It requires the Department of Health and Human Services to submit a state plan amendment to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to allow for the supplemental reimbursement.
5. It also adds an appropriations and allocations section to the resolve.

Enacted Law Summary

Resolve 2015, chapter 45 requires the Department of Health and Human Services to amend its rules governing MaineCare reimbursement for both adult family care services and private nonmedical institution services to provide supplemental MaineCare reimbursement of an additional 15 percent to adult family care homes and residential care facilities in remote island locations. The rules must be amended by October 1, 2015. The department may adopt the rules as an emergency without the necessity of demonstrating that immediate adoption is necessary to avoid a threat to public health, safety or general welfare. The department must submit a state plan amendment to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to allow for the

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supplemental reimbursement.

Resolve 2015, chapter 45 was finally passed as an emergency measure effective July 12, 2015.

LD 75 Resolve, To Strengthen Health Care Services for Maine Residents ONTP
Affected by Neurodegenerative Diseases

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRATWICK HYMANSON	ONTP	

This resolve directs the Department of Health and Human Services to convene a stakeholder group to conduct a feasibility study assessing the need for and costs of developing a network of in-state health care services, including home care and care in long-term care facilities, for residents of the State affected by neurodegenerative diseases. The resolve requires the department to report to the Joint Standing Committee on Health and Human Services in the Second Regular Session of the 127th Legislature and authorizes the committee to report out a bill based on the group's report.

The substance of this resolve was included in Resolve 2015, chapter 44 (see LD 155).

LD 84 An Act Concerning Screening of Newborns for Lysosomal Storage ONTP
Disorders

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HASKELL HERBIG	ONTP	

This bill requires the Department of Health and Human Services to amend its rules in Chapter 283, Rules and Regulations Relating to Testing Newborn Infants for Detection of Causes of Cognitive Disabilities and Selected Genetic Conditions, by January 1, 2016 to add to the newborn screening program the lysosomal storage disorders known as Krabbe, Pompe, Gaucher, Fabry and Niemann-Pick diseases. The bill authorizes the department to explore options to enter into contracts with other states to test samples collected for lysosomal storage disorders.

LD 87 Resolve, To Implement the Recommendations of the Commission To RESOLVE 34
Continue the Study of Long-term Care Facilities EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STUCKEY BURNS	OTP-AM OTP-AM	H-77 S-173 BURNS

This resolve directs the Department of Health and Human Services to amend Rule Chapter 101, MaineCare Benefits Manual, Chapter III, Section 67, Principles of Reimbursement for Nursing Facilities to:

1. Decrease the occupancy percentage threshold required for a nursing facility with more than 60 beds from 90 percent to 80 percent and for a nursing facility with 60 beds or fewer from 85 percent to 75 percent;
2. Provide that the cost of continuing education for direct care staff is included as a direct care cost component rather than a routine cost component;
3. Restore crossover payments to nursing facilities related to the nondual Qualified Medicare Beneficiary program

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population of the Medicare Savings Program for whom coverage was eliminated in Public Law 2013, chapter 368; and

4. Create a critical access nursing facility designation using criteria that are sensitive to the unique access challenges in remote areas of the State and provide that a critical access nursing facility designation qualifies as an allowable exception to MaineCare budget neutrality.

Committee Amendment "A" (H-77)

This amendment, which is the majority report of the committee, strikes the emergency preamble and emergency clause. It requires the Department of Health and Human Services to amend the rules on principles of reimbursement for nursing facilities in the MaineCare Benefits Manual by January 1, 2016. The amendment removes the provision of the resolve that requires the rules to be amended to restore the crossover payments to nursing facilities related to nondual qualified Medicare beneficiaries because the crossover payments are not part of the principles of reimbursement. The amendment also adds an appropriations and allocations section. The appropriations and allocations section includes an appropriation and an allocation to restore the crossover payments.

Committee Amendment "B" (H-78)

This amendment, which is the minority report of the committee, replaces the resolve and changes the title. It requires the Department of Health and Human Services to explore the use of Medicare Part C plans for the nondual qualified Medicare beneficiaries population served by the Medicare Savings Program to determine if the plans could provide a financial advantage with respect to crossover payments and copayments to nursing facilities as well as to the individuals compared to the current situation. The department is required to report its findings to the Joint Standing Committee on Health and Human Services no later than January 1, 2016.

Senate Amendment "A" To Committee Amendment "A" (S-173)

This amendment amends Committee Amendment "A" to remove the requirement that the Department of Health and Human Services amend the rules as proposed in the resolve, except for the requirement to amend the rules so that the cost of continuing education for direct care staff is included as a direct care cost component. This amendment also removes the appropriations and allocations and restores the emergency preamble and emergency clause as in the resolve.

Enacted Law Summary

Resolve 2015, chapter 34 requires the Department of Health and Human Services to amend its Rule Chapter 101, MaineCare Benefits Manual, Chapter III. Section 67, Principles of Reimbursement for Nursing Facilities so that the cost of continuing education for direct care staff is included as a direct care cost component.

Resolve 2015, chapter 34 was finally passed as an emergency measure effective June 23, 2015.

LD 90 Resolve, To Ensure Appropriate Personal Needs Allowances for Persons Residing in Long-term Care Facilities CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STUCKEY BURNS	ONTP OTP-AM	H-65

This resolve directs the Department of Health and Human Services to amend its rules to provide for increases in the personal needs allowances of residents in nursing facilities and residential care facilities. The rules are designated as routine technical rules.

Committee Amendment "A" (H-65)

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This amendment, which is the minority report of the committee, strikes out the emergency preamble and emergency clause. It changes the date the Department of Health and Human Services must adopt rules implementing the increased personal needs allowance from October 1, 2015 to January 1, 2016. It also adds an appropriations and allocations section to the bill.

This bill was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by joint order, S.P. 555.

LD 101 An Act To Strengthen and Reform Maine's Welfare System ONTP

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to strengthen and reform the State's welfare system.

LD 123 An Act To Reduce Youth Cancer Risk Died Between Houses

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

This bill prohibits tanning facilities and operators from allowing individuals who have not attained 18 years of age to use tanning devices.

LD 133 Resolve, To Establish the Task Force on Independence from Public Assistance ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POULIOT HASKELL	ONTP	

This resolve establishes the Task Force on Independence from Public Assistance. The task force is directed to review and make evidence-based recommendations on initiatives needed to help families receiving public assistance to move out of poverty to independence through employment. The task force must meet up to eight times, consists of 13 members and must report by December 2, 2015 with its findings and recommendations and suggested legislation to the Joint Standing Committee on Health and Human Services.

LD 139 An Act To Allow the Electronic Transfer of Marriage Certificates PUBLIC 104

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

This bill allows both the municipal clerk that issued a marriage license and the clerk from the municipality where the marriage occurred to issue a certified copy of the marriage certificate electronically using the State's registration

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system.

Enacted Law Summary

Public Law 2015, chapter 104 allows both the municipal clerk that issued a marriage license and the clerk from the municipality where the marriage occurred to issue a certified copy of the marriage certificate electronically using the State's registration system.

LD 140 An Act To Expand Access To Lifesaving Opioid Overdose Medication

PUBLIC 351

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BECK GRATWICK	OTP-AM ONTP	H-248 H-278 BECK

This bill allows for the prescription of naloxone hydrochloride by standing order. It allows for the prescription of naloxone hydrochloride to friends of and other persons in a position to assist an individual at risk of experiencing an opioid-related drug overdose in addition to immediate family members. It provides for immunity from civil and criminal liability for the prescription and administration of naloxone hydrochloride for prescribers and those who administer the drug. It creates a limited immunity from criminal prosecution for those who seek medical assistance when a person is experiencing an opioid-related drug overdose.

Committee Amendment "A" (H-248)

This amendment, which is the majority report of the committee, retains the provisions from the bill that allow for the prescription of naloxone hydrochloride by standing order and allow for the prescription of naloxone hydrochloride to friends of and other persons in a position to assist an individual at risk of experiencing an opioid-related drug overdose, in addition to immediate family members as currently permitted in law. Like the bill, it creates a limited immunity from criminal prosecution for those who seek medical assistance when a person is experiencing an opioid-related drug overdose. The amendment also allows for the prescription of naloxone hydrochloride by standing order to a public health agency operating an overdose prevention program in accordance with rules adopted by the Department of Health and Human Services. The amendment provides immunity from civil or criminal prosecution to persons acting on behalf of an overdose prevention program for providing education on opioid-related drug overdose prevention or for purchasing, acquiring, distributing or possessing naloxone hydrochloride unless the person's actions constitute recklessness, gross negligence or intentional misconduct.

House Amendment "A" To Committee Amendment "A" (H-278)

This amendment removes the provisions of Committee Amendment "A" that provide limited immunity from criminal prosecution for those who seek medical assistance when a person is experiencing an opioid-related drug overdose and the immunity from civil or criminal prosecution for providing education on opioid-related drug overdose prevention or for purchasing, acquiring, distributing or possessing naloxone hydrochloride unless the person's actions constitute recklessness, gross negligence or intentional misconduct.

Enacted Law Summary

Public Law 2015, chapter 351 allows for the prescription of naloxone hydrochloride by standing order. It allows for the prescription of naloxone hydrochloride to friends of and other persons in a position to assist an individual at risk of experiencing an opioid-related drug overdose in addition to immediate family members. It also allows for the prescription of naloxone hydrochloride by standing order to a public health agency operating an overdose prevention program in accordance with rules adopted by the Department of Health and Human Services.

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LD 154 An Act To Promote Greater Flexibility in the Provision of Long-term ONTP
Care Services

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

Current law precludes facilities licensed pursuant to the Maine Revised Statutes, Title 22, chapter 405 from providing certain services under one license to residents living in a facility under a lower level license on the same campus. The purpose of this bill is to allow facilities licensed under Title 22, chapter 405 to provide a continuum of care and services to clients residing in those facilities without requiring the clients to leave the facility, without requiring the creation of a licensed home health agency and without having to seek approval of area licensed home health agencies.

LD 155 Resolve, To Establish the Commission To Study Difficult-to-place RESOLVE 44
Patients EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MALABY	OTP-AM	H-249

This bill is a concept draft pursuant to Joint Rule 208. The purpose of this bill is to help ensure that patients with complex medical conditions who are in hospitals are placed in more appropriate nonhospital settings.

The bill proposes to fund the ongoing costs associated with beds in nonhospital settings for:

1. Patients with severe brain injuries;
2. Bariatric patients;
3. Patients who are dependent on a ventilator for the long-term;
4. Young adult patients with substance abuse issues who receive extended intravenous therapy due to infections;
5. Young adult patients with spinal cord injuries;
6. Young adult patients who have had strokes;
7. Homeless patients who need preoperative care such as feeding tubes; and
8. Patients who are violent and have been previously discharged from a health care facility due to violence.

Committee Amendment "A" (H-249)

This amendment replaces the bill, changes it into a resolve and adds an emergency preamble and emergency clause. The amendment establishes the Commission To Study Difficult-to-place Patients in order to study certain issues related to difficult-to-place patients with complex medical conditions and the feasibility of making policy changes to the long-term care system for those patients. The commission comprises 13 members, including five legislators; the Commissioner of Health and Human Services; the director of the long-term care ombudsman program; representatives of organizations representing people with disabilities, people with mental illness, the promotion of independent living for individuals with disabilities, long-term care facilities and hospitals; and a patient or family member of a patient with complex medical needs. The amendment requires the commission to report to the Joint

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Standing Committee on Health and Human Services by December 2, 2015.

Enacted Law Summary

Resolve 2015, chapter 44 establishes the Commission to Study Difficult-to-place Patients in order to study certain issues related to difficult-to-place patients with complex medical conditions and the feasibility of making policy changes to the long-term care system for those patients. The commission comprises 13 members, including five legislators; the Commissioner of Health and Human Services; the director of the long-term care ombudsman program; representatives of organizations representing people with disabilities, people with mental illness, the promotion of independent living for individuals with disabilities, long-term care facilities and hospitals; and a patient or family member of a patient with complex medical needs. The commission is required to report to the Joint Standing Committee on Health and Human Services by December 2, 2015.

Resolve 2015, chapter 44 was finally passed as an emergency measure effective July 12, 2015.

LD 179 Resolve, Directing the Department of Health and Human Services To ONTP
Provide Coverage under the MaineCare Program for Routine Male
Newborn Circumcisions

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN GRATWICK	ONTP	

This resolve directs the Department of Health and Human Services to amend its MaineCare rules to provide for coverage for routine male newborn circumcisions rather than only for those considered medically necessary under existing rules.

LD 180 An Act To Allow Terminally Ill Patients To Choose To Use Experimental CARRIED OVER
Treatments

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LONGSTAFF BRAKEY		

This bill authorizes manufacturers of drugs, biological products and devices that have completed Phase I of a United States Food and Drug Administration-approved clinical trial but have not yet been approved for general use and remain under clinical investigation to make them available to eligible terminally ill patients. It does not require health insurers to provide coverage for the cost of such a drug, biological product or device but authorizes insurers to provide such coverage.

The bill prohibits licensing boards from revoking, refusing to renew or suspending the license of or taking any other action against a health care practitioner based solely on the practitioner's recommendation to an eligible patient regarding access to or treatment with such a drug, biological product or device. It also prohibits any official, employee or agent of the State from blocking or attempting to block access by an eligible patient to such a drug, biological product or device.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

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LD 205 An Act To Facilitate the Development and Operation of a Group Home ONTP
for Post-High School Adults with Developmental Disabilities

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HUBBELL LANGLEY	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to provide necessary statutory support for a proposal for the development and operation of a group assisted living facility in Bar Harbor for post-high school adults with developmental disabilities operated by Local Solutions, a Maine corporation, referred to in this legislation as "the project." The project's goal is to assist the facility residents in building independent lives in the local community, supported by funds provided by the Department of Health and Human Services through a MaineCare waiver program or other possible sources of funding. The project has partnered with Community Housing of Maine, Inc., a corporation registered in the State, to develop a model to create innovative and accessible housing for young adults with intellectual, physical and cognitive disabilities to be replicated in other communities throughout the State. The site of the project is the donated former parish hall of St. Saviour's Episcopal Church in Bar Harbor, which will be renovated to provide housing to allow the residents to live as independently as possible while supported by paid staff and volunteers providing meals, taking residents to appointments and helping the residents with health and cleanliness practices and general cleaning and maintenance of the group home. The residents will be provided assistance with finding employment and recreation and with volunteering in the local community. The project has sought out other funding sources, including private fund-raising and housing choice vouchers from the Federal Government.

LD 213 An Act To Ensure the Comprehensive Medical, Dental, Educational and CARRIED OVER
Behavioral Assessment of Children Entering State Custody

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

Current law regarding the physical examination and psychological assessment of children entering state custody requires the physical examination of a child within 10 working days after the child enters into the custody of the Department of Health and Human Services and a psychological assessment within 30 days of the examination if an assessment is determined appropriate by the doctor or nurse practitioner performing the physical examination. This bill shortens the time requirement for the physical examination to three working days and replaces the language regarding the psychological examination with language requiring a comprehensive medical, dental, behavioral and educational assessment meeting the standards of a national academy of pediatrics within 30 days after the department's custody of the child commences.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 219 An Act To Protect a Child from Misuse of Identity ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT DIAMOND	ONTP	

This bill directs the Department of Health and Human Services to adopt rules to protect a child from the misuse of the identity of the child for household, business or commercial purposes. The rules must provide for releases to

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make an inquiry, to review information and to refer a matter to the Attorney General if the department finds that a person has misused a child's identity for household, business or commercial purposes. The bill requires the department to report by April 1st each year to the joint standing committee of the Legislature having jurisdiction over health and human services matters on the results of child identity inquiries, reviews of information and referrals.

LD 266 An Act To Allow Access for Law Enforcement Officers to the List of ONTP
Registered Primary Caregivers for Medical Marijuana Patients

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

This bill permits disclosure of the Department of Health and Human Services' list of registered caregivers for medical marijuana patients to a law enforcement official in order to allow the law enforcement official to rule out a registered primary caregiver when verifying reports of criminal activity.

LD 274 Resolve, To Direct the Department of Health and Human Services To Died Between
Address the Growing Deficit in Room and Board Allowances Paid to Houses
Agencies Providing Residential Services to Adults with Intellectual
Disabilities or Autism

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARNSWORTH HASKELL	OTP-AM ONTP	

This bill requires the Office of Aging and Disability Services within the Department of Health and Human Services to identify the cost to the General Fund to ensure full funding of room and board costs incurred by agencies providing residential support to individuals with intellectual disabilities or autistic disorder served under MaineCare.

Committee Amendment "A" (H-131)

This amendment, which is the majority report of the committee, adds an appropriations and allocations section.

LD 292 An Act To Require Hospitals To Allow Patients To Provide Their Own ONTP
Medications

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK PETERSON	ONTP	

This bill provides a process by which a patient admitted to a hospital or on observation status in a hospital may request and obtain approval to provide the patient's own medication while in the hospital.

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LD 319 An Act To Strengthen the Economic Stability of Qualified Maine Citizens by Expanding Coverage of Reproductive Health Care and Family Services

PUBLIC 356

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCREIGHT GRATWICK	OTP-AM OTP-AM ONTP	H-243

This bill expands Medicaid coverage for reproductive health care and family planning services to adults and adolescents who have individual incomes less than or equal to 209 percent of the nonfarm income official poverty line as defined in accordance with federal law, which is the same Medicaid coverage level as for pregnant women.

Committee Amendment "A" (H-243)

This amendment, which is the majority report of the committee, adds an appropriations and allocations section.

Committee Amendment "B" (H-244)

This amendment, which is a minority report of the committee, replaces the bill with a resolve that directs the Department of Health and Human Services, in consultation with the Maine Board of Pharmacy, to develop a plan to ensure the safety of consumers if the United States Food and Drug Administration adopts the recommendations of the American College of Obstetricians and Gynecologists regarding the sale of over-the-counter oral contraceptives. The department is required to convey support to the United States Food and Drug Administration for the sale of over-the-counter oral contraceptives.

Enacted Law Summary

Public Law 2015, chapter 356 expands Medicaid coverage for reproductive health care and family planning services to adults and adolescents who have individual incomes less than or equal to 209 percent of the nonfarm income official poverty line as defined in accordance with federal law, which is the same Medicaid coverage level as for pregnant women.

LD 327 An Act To Require Prescribers of Controlled Substances To Use the Controlled Substances Prescription Monitoring Program Software

ONTP

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

This bill requires, beginning January 1, 2016, prescribers of controlled substances to obtain any available prescription monitoring information from the Controlled Substances Prescription Monitoring Program established by the Department of Health and Human Services related to a patient before prescribing or authorizing a refill of a prescription of a controlled substance to the patient.

LD 343 An Act To Align the Federal Affordable Care Act's Health Care Coverage Opportunities and Hospital Charity Care

Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANDERSON	ONTP OTP-AM	

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This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to align mandatory charity care laws governing hospitals and subsidized health insurance coverage under the federal Patient Protection and Affordable Care Act, Public Law 111-148, 124 Stat. 119 (2010).

Committee Amendment "A" (H-260)

This amendment, which is the minority report of the committee, replaces the concept draft and amends the laws regarding hospital charity care guidelines as follows.

1. It changes the term "charity care" to "financial assistance" in a number of statutory sections to better align state statute with the federal Patient Protection and Affordable Care Act.
2. It requires the Department of Health and Human Services to adopt rules rather than guidelines to regulate hospital financial assistance policies.
3. It provides for hospital financial assistance to patients without insurance coverage whose income is equal to or less than 138 percent of the federal poverty level.

The amendment also repeals Resolve 2005, chapter 148, which required the establishment of hospital free care guidelines for patients below 150 percent of the federal poverty level. The amendment provides an effective date of January 1, 2016.

LD 358 An Act To Provide Additional Oversight over the Management of the Department of Health and Human Services Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARNSWORTH	OTP ONTP	

This bill requires the Director of the Maine Center for Disease Control and Prevention, the Superintendent of the Dorothea Dix Psychiatric Center and the Superintendent of Riverview Psychiatric Center to be appointed by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over health and human services matters and confirmation by the Senate.

LD 368 An Act To Integrate the State's General Assistance and Temporary Assistance for Needy Families Programs Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAKEY	ONTP OTP-AM	

This bill provides that a person who has exhausted the 60-month lifetime limit on Temporary Assistance for Needy Families program benefits is ineligible to receive municipal general assistance program benefits.

Committee Amendment "A" (S-200)

This amendment is the minority report of the committee. The amendment adds language to clarify that the provisions in the bill do not apply to a person who is in the process of seeking an extension of benefits under the Temporary Assistance for Needy Families program. The amendment also adds an appropriations and allocations section.

Joint Standing Committee on Health and Human Services

**LD 369 An Act To Clarify the Immigration Status of Noncitizens Eligible for
General Assistance**

PUBLIC 324

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAKEY	OTP-AM OTP-AM	S-271 S-292 VOLK

This bill provides that a person who has been determined ineligible to receive benefits administered by the Department of Health and Human Services on the basis of a law, rule or regulation related to that person's immigration status is ineligible to receive municipal general assistance program benefits.

Committee Amendment "A" (S-271)

This amendment, which is the majority report of the committee, allows a noncitizen who is lawfully present in the United States or pursuing a lawful process to apply for immigration relief to be eligible for general assistance.

Committee Amendment "B" (S-272)

This amendment, which is the minority report of the committee, replaces the language of the bill with more specific language identifying which noncitizens are not eligible for general assistance. This amendment adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-292)

This amendment allows a person, beginning July 1, 2015, who is lawfully present in the United States or who is pursuing a lawful process to apply for immigration relief to qualify for general assistance, but only for 24 months.

Enacted Law Summary

Public Law 2015, chapter 324 allows a person, beginning July 1, 2015, who is lawfully present in the United States or who is pursuing a lawful process to apply for immigration relief to qualify for general assistance, but only for 24 months.

**LD 421 An Act To Improve Program Integrity Activities within the Department
of Health and Human Services**

**Died Between
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GATTINE LIBBY	OTP ONTP	

This bill requires the Department of Health and Human Services to report annually by February 15th to the joint standing committee of the Legislature having jurisdiction over health and human services matters and the joint standing committee of the Legislature having jurisdiction over financial affairs regarding actions taken by the department to investigate program integrity under the MaineCare, Temporary Assistance for Needy Families and food supplement programs, including the amount recovered, the cost of those investigations and prosecutions, the number of personnel working on the investigations, the status of cases referred to the Attorney General's office, a description of the performance and activities of a vendor, contractor or other program integrity unit used by the department to help recover overpayments, a description of the department's participation in federally mandated program integrity efforts, the results of federal audits, a description of defects, deficiencies or weaknesses in department systems, a description of planned investments in technology and a description of policy changes or improvements implemented.

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The bill specifies that information disclosed by the Office of the Attorney General for the purposes of the annual report from the Department of Health and Human Services on investigations and prosecutions of false claims made under the MaineCare, Temporary Assistance for Needy Families and food supplement programs on the status of cases must conform to the law on intelligence and investigative record information and may not compromise the investigation or prosecution of a case.

The bill also specifies that the requirements of the bill must be accomplished within the existing resources of the department.

LD 423 An Act To Require Child-resistant Packaging for Nicotine Liquid Containers

PUBLIC 288

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANDERSON JOHNSON	OTP-AM	H-405

This bill prohibits selling, furnishing or giving away a container used to hold any liquid containing nicotine if the container is not child-resistant packaging and prohibits selling, furnishing or giving away a liquid or gel product that contains nicotine unless the product is contained in child-resistant packaging.

Committee Amendment "A" (H-405)

This amendment provides a definition for "electronic nicotine delivery device." It provides that the prohibition in the bill applies only to a nicotine liquid container unless the container is child-resistant packaging. In addition, it directs the Commissioner of Health and Human Services to monitor the status of any effective date of final regulations issued by the United States Food and Drug Administration or by any other federal agency that mandate child-resistant packaging standards for nicotine liquid containers. The commissioner is required to notify the joint standing committee of the Legislature having jurisdiction over health and human services matters when the final regulations have been adopted. Upon receiving this notification, the committee may report out a bill repealing the provisions in this legislation.

Enacted Law Summary

Public Law 2015, chapter 288 prohibits selling, furnishing or giving away a container used to hold any liquid containing nicotine if the container is not child-resistant packaging and prohibits selling, furnishing or giving away a liquid or gel product that contains nicotine unless the product is contained in child-resistant packaging. It creates definitions for "electronic nicotine delivery device" and "nicotine liquid container."

Public Law 2015, chapter 288 directs the Commissioner of Health and Human Services to monitor the status of any effective date of final regulations issued by the United States Food and Drug Administration or by any other federal agency that mandate child-resistant packaging standards for nicotine liquid containers. The commissioner is required to notify the joint standing committee of the Legislature having jurisdiction over health and human services matters when the final regulations have been adopted. Upon receiving this notification, the committee may report out a bill repealing the provisions in this legislation.

LD 433 An Act To Clarify the Liability of Funeral Practitioners

PUBLIC 188

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING BLACK	OTP-AM	S-187

Joint Standing Committee on Health and Human Services

This bill provides immunity from disciplinary action and civil and criminal liability to a funeral director or a practitioner of funeral service who, with respect to the remains of a deceased person, acts in good faith upon the instructions of an individual who misrepresents that individual's custody and control of that deceased person.

Committee Amendment "A" (S-187)

This amendment reallocates the bill's proposed immunity provision to the existing immunity provision for the chapter of law governing deaths and burials in order to provide clarity that a funeral director or practitioner of funeral service is entitled to the immunity provided under the chapter of law governing deaths and burials.

Enacted Law Summary

Public Law 2015, chapter 188 clarifies that a funeral director or a practitioner of funeral service is entitled to the immunity provided under the chapter of law governing deaths and burials.

LD 436 An Act To Require Providers of Short-term Lodging To Be Licensed by the State ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK PETERSON	ONTP	

This bill defines "overnight occupancy" in the laws governing lodging places and requires renters who provide overnight occupancy to the public to be licensed by the State. It also provides that a property rented as a vacation rental must be rented for a minimum of seven days.

LD 452 An Act To Require a Work Search for Job-ready Applicants for Benefits under the Temporary Assistance for Needy Families Program ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ MALABY	ONTP	

This bill creates a work search requirement for job-ready applicants to the Temporary Assistance for Needy Families program.

LD 469 An Act To Promote the Disposal of Unused Medications ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HILLIARD MCCORMICK	ONTP	

This bill allows the return of a prescription drug to the issuing pharmacy by the person for whom the drug was dispensed, by the person's guardian or by the staff of a residential facility providing services to the person. The bill requires the pharmacy to dispose of the prescription drug in a manner that complies with local, state and federal environmental requirements. It further establishes that the cost of disposal is borne by the issuing pharmacy.

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LD 470 An Act To Allow Children's Residential Care Facilities To Ensure the Safety of Their Residents

PUBLIC 240

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHITE WILLETTE	OTP-AM	H-329

This bill allows an administrator of a children's home or children's residential care facility to search a resident's backpack or travel bag and confiscate any items that pose a health or safety risk whenever that resident returns to the facility after an absence.

Committee Amendment "A" (H-329)

This amendment replaces the bill. The amendment allows an administrator or other designated staff of a children's home or children's residential care facility to search a resident's backpack or travel bag if there are reasonable grounds for suspecting that the backpack or travel bag contains misappropriated articles or items that would endanger the health or safety of the resident or other residents. The amended language mirrors current Department of Health and Human Services rules and United States Supreme Court precedent.

Enacted Law Summary

Public Law 2015, chapter 240 allows an administrator or other designated staff of a children's home or children's residential care facility to search a resident's backpack or travel bag if there are reasonable grounds for suspecting that the backpack or travel bag contains misappropriated articles or items that would endanger the health or safety of the resident or other residents.

LD 471 An Act To Improve Childhood Vaccination Rates in Maine

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN KATZ	OTP-AM ONTP	H-426

This bill requires a parent or guardian who is seeking a philosophical exemption to routine childhood vaccination when enrolling a child in school or a licensed day care facility to present written documentation signed by a health care practitioner stating that the health care practitioner has reviewed with the parent information about the risks and benefits of immunization that is consistent with information published by the federal Department of Health and Human Services, Centers for Disease Control and Prevention.

Committee Amendment "A" (H-426)

This amendment specifies that a health care practitioner who signs the written documentation verifying that the health care practitioner has reviewed with the parent the risks and benefits of immunization must be authorized to prescribe and administer immunizations.

LD 472 An Act To Establish Meals on Wheels as a Service Covered under the MaineCare Program

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COOPER BREEN	ONTP	

Joint Standing Committee on Health and Human Services

This bill allows Meals on Wheels to be reimbursed under the MaineCare program. It requires the Department of Health and Human Services to apply for the necessary waivers or state plan amendments from the federal Department of Health and Human Services, Centers for Medicare and Medicaid Services. It allows those persons who are currently eligible to receive home-delivered meals from Meals on Wheels under department rule but would not otherwise be eligible for the MaineCare program to continue to receive meals.

LD 473 Resolve, Directing the Department of Education and the Department of Health and Human Services To Jointly Adopt Rules To Protect Children's Health Leave to Withdraw Pursuant to Joint Rule

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

This resolve directs the Department of Education and the Department of Health and Human Services to jointly amend their rules on immunization requirements for schoolchildren to establish requirements for what are commonly known as Tdap and meningitis vaccinations before the start of school year 2016-2017.

LD 474 An Act To Improve Access to Dental Care in Maine ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GATTINE BURNS	ONTP	

This bill provides MaineCare coverage for dental services including diagnostic and preventive services to pregnant and postpartum women and dental services necessary to avoid more costly medical or dental care as identified by a stakeholder group. It requires the Department of Health and Human Services to provide information concerning adult dental benefits to adult MaineCare members and providers. It requires the department to adopt rules relating to the dental coverage by October 1, 2015.

The substance of this bill was incorporated into the majority amendment for LD 860.

LD 475 Resolve, To Increase MaineCare Services for Certain Recipients To Allow Them To Remain at Home CARRIED OVER

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

This resolve requires the Department of Health and Human Services to amend its rules in the MaineCare Benefits Manual, Chapter 101, Chapter II, Section 29: Support Services for Adults with Intellectual Disabilities or Autistic Disorder, by April 1, 2015, to increase the combined annual limit for service reimbursement to \$47,550 from the current limit of \$23,771.

This resolve was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

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LD 476 An Act To Require Pharmacies To Provide Disposal Receptacles for Used Hypodermic Apparatuses Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARNSWORTH	ONTP OTP	

This bill requires the Maine Center for Disease Control and Prevention to adopt rules to add a requirement that hypodermic apparatus exchange programs require a pharmacy that dispenses hypodermic apparatuses to provide a container for the on-site disposal of used hypodermic apparatuses.

LD 477 Resolve, To Increase Funding To Support Peer Centers Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STUCKEY GRATWICK	OTP-AM	H-160

This resolve requires an increase in funding to peer centers, also referred to as social clubs or drop-in centers, of 10 percent on the fiscal year 2014-15 contract budget amount for each of the 12 peer centers. A one-time payment must be made by October 1, 2015 and then be included in the baseline in the future.

Committee Amendment "A" (H-160)

This amendment adds an appropriations and allocations section.

A one-time appropriation of funding for both years of the biennium was included in Public Law 2015, chapter 267.

LD 478 An Act To Require That Death Certificates Be Signed Using an Electronic Signature System ONTP

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

This bill requires death certificates to be signed using an electronic signature. "Electronic signature" has the same meaning as in the Uniform Electronic Transactions Act, an electronic sound, symbol or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

LD 483 An Act Regarding the Reporting Standards for Child Abuse PUBLIC 178

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BATES KATZ	OTP-AM	H-193

The bill creates an exception to the law mandating a report to the Department of Health and Human Services of suspected abuse or neglect of a child under six months of age for injuries occurring during birth when the delivery is

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medication-assisted recovery for individuals working to recover from addiction to opioid substances that is located in a rural community at least 30 miles from Bangor. The Department of Health and Human Services must report the findings of the stakeholder group to the Joint Standing Committee on Health and Human Services no later than January 1, 2016, and the joint standing committee is authorized to report out legislation to the Second Regular Session of the 127th Legislature.

LD 525 Resolve, To Direct the Department of Health and Human Services To RESOLVE 18
Report on Efforts To Reach in Rural Areas Persons Who Are Elderly,
Disabled or Mentally Ill

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS	OTP	
HIGGINS	ONTP	

This resolve requires the Department of Health and Human Services to report on department efforts to reach in rural areas persons who are elderly, disabled or mentally ill. This resolve requires the department, in developing its report, to have at least one public meeting in Piscataquis County and to particularly focus on elderly, disabled and mentally ill persons who are not able to use or who have no access to the Internet and other electronic forms of communication technology or who have limited contact with the department.

Enacted Law Summary

Resolve 2015, chapter 18 requires the Department of Health and Human Services to report on department efforts to reach in rural areas persons who are elderly, disabled or mentally ill. It requires the department, in developing its report, to have at least one public meeting in Piscataquis County and to particularly focus on elderly, disabled and mentally ill persons who are not able to use or who have no access to the Internet and other electronic forms of communication technology or who have limited contact with the department.

LD 526 Resolve, To Require the Department of Health and Human Services To Died Between
Request a Waiver To Prohibit the Use of Food Supplement Benefits for Houses
the Purchase of Taxable Food Items

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ	OTP-AM	
HICKMAN	OTP-AM	

This resolve requires the Department of Health and Human Services to request a waiver from the United States Department of Agriculture to allow Maine to prohibit the use of federal Supplemental Nutrition Assistance Program benefits for the purchase of taxable food items.

Committee Amendment "A" (S-298)

This amendment, which is the majority report of the committee, removes the emergency preamble and emergency clause from the resolve. It changes the date by which the Department of Health and Human Services must request a waiver from October 1, 2015 to January 1, 2016.

Committee Amendment "B" (S-299)

This amendment, which is the minority report of the committee, removes the emergency preamble and emergency clause from the resolve. It changes the date by which the Department of Health and Human Services must request a waiver from October 1, 2015 to January 1, 2016. It requires the Department of Health and Human Services to establish the Healthy Local Foods Initiative Pilot Program to engage in efforts to seek out and support, sustain or assist eligible applicants in submitting proposals for federal grants or funding for pilot projects to improve the diets

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of low-income persons enrolled in a statewide food supplement program administered as part of the federal Supplemental Nutrition Assistance Program. The department is required to create a working group to make recommendations concerning best practices and criteria for evaluating proposals for federal grants or funding to conduct pilot projects designed to provide incentives to participants of the federal Supplemental Nutrition Assistance Program to improve their diets, reduce obesity and support farmers and businesses in the State. The amendment directs the department to provide the matching funds required of eligible applicants. The amendment establishes within the department the Healthy Local Foods Incentive Fund, which may include funds received from hospital organizations fulfilling United States Internal Revenue Service requirements to meet community health needs.

LD 539 An Act To Increase Utilization of the Dorothea Dix Psychiatric Center ONTP

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to enact measures designed to provide greater utilization of the Dorothea Dix Psychiatric Center and to provide funding to maximize the center's ability to fulfill the needs of the State.

The substance of this bill was included in Resolve 2015, chapter 44 (see LD 155).

LD 552 An Act To Provide Funding for Home Visiting Services CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAKER MILLETT	OTP-AM	H-161

This bill appropriates funds to the Department of Health and Human Services for home visiting services to provide essential child development education and skill development for new parents, which have been shown to reduce child abuse and neglect and to identify and address domestic violence.

Committee Amendment "A" (H-161)

This amendment removes the appropriation for the 2015-16 fiscal year from the bill.

This bill was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by joint order, S.P. 555.

LD 559 An Act To Notify Parents of a Complaint against a Child Care Facility or a Family Child Care Provider ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GERRISH COLLINS	ONTP	

This bill requires the Department of Health and Human Services to notify in writing the parents and legal guardians of children receiving care at a licensed child care facility or from a certified family child care provider of a complaint's being lodged against the facility or provider, of the department's investigation and of the nature of the complaint. Notification must be sent within five days of the department's commencement of the investigation.

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**LD 560 An Act Regarding Patient Information Under the Maine Medical Use of
Marijuana Act**

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RUSSELL BRAKEY	OTP-AM	H-330

This bill is a concept draft pursuant to Joint Rule 208.

The bill proposes to amend the registration process for patients under the Maine Medical Use of Marijuana Act by:

1. Requiring medical providers to send only the date of birth of a qualifying patient and the zip code of that patient's residence to the Department of Health and Human Services;
2. Requiring the department to assign a unique identifying number for that qualifying patient and notify the medical provider of that number; and
3. Requiring the medical provider to issue the qualifying patient a card with the qualifying patient's unique identifying number.

The bill requires qualifying patient to provide the card to a registered dispensary or primary caregiver in order to obtain prepared marijuana.

The bill also proposes to require registered dispensaries and primary caregivers to submit monthly reports to the department showing transfers of prepared marijuana to qualifying patients, using only the unique identifying number assigned by the department to identify the qualifying patient. Other information about the qualifying patient is only released in compliance with the federal Health Insurance Portability and Accountability Act of 1996, as amended.

Committee Amendment "A" (H-330)

This amendment replaces the concept draft with a statutory provision that prohibits the Department of Health and Human Services from storing or retaining in electronic format or requiring health care providers to transmit over the Internet personally identifying patient information related to the Maine Medical Use of Marijuana Act, including the name, address and date of birth.

LD 582 An Act To Establish a State Educational Medicaid Officer

PUBLIC 359

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STEARNS GRATWICK	OTP-AM	H-227

This bill provides that the Commissioner of Health and Human Services must designate a state educational Medicaid officer within the Department of Health and Human Services to work with the Department of Education and school administrative units in order to maximize reimbursement for Medicaid services provided by school administrative units.

Committee Amendment "A" (H-227)

This amendment adds an appropriations and allocations section.

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Enacted Law Summary

Public Law 2015, chapter 359 provides that the Commissioner of Health and Human Services must designate a state educational Medicaid officer within the Department of Health and Human Services to work with the Department of Education and school administrative units in order to maximize reimbursement for Medicaid services provided by school administrative units.

**LD 597 Resolve, Regarding Legislative Review of Portions of Chapter 101:
MaineCare Benefits Manual, Chapter III, Section 29: Allowances for
Support Services for Adults with Intellectual Disabilities or Autistic
Disorder, a Major Substantive Rule of the Department of Health and
Human Services RESOLVE 13
EMERGENCY**

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

This resolve provides for legislative review of portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 29: Allowances for Support Services for Adults with Intellectual Disabilities or Autistic Disorder, a major substantive rule of the Department of Health and Human Services.

Enacted Law Summary

Resolve 2015, chapter 13 provides for legislative review of portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 29: Allowances for Support Services for Adults with Intellectual Disabilities or Autistic Disorder, a major substantive rule of the Department of Health and Human Services.

Resolve 2015, chapter 13 was finally passed as an emergency measure effective May 10, 2015.

**LD 604 An Act To Encourage Communication Regarding Persons with Mental
Illness ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MALABY BURNS	ONTP	

This bill allows a health care practitioner to disclose health care information to the parent or guardian of an individual with a mental health diagnosis who withholds consent because of the individual's compromised view of that individual's mental health. A health care practitioner is not liable for failing to make a disclosure if the practitioner determines in good faith that there is no serious or imminent threat and the disclosure would interfere with providing effective care.

**LD 605 Resolve, To Provide Certain Dental Services to Pregnant Women
Enrolled in the MaineCare Program ONTP**

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

This resolve requires the Department of Health and Human Services to amend Rule Chapter 101, MaineCare Benefits Manual, Chapter II, Section 25 to cover diagnostic, preventive, restorative and periodontic dental services

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for pregnant women 21 years of age and older.

LD 606 An Act To Remove the Philosophical Exemption from the Immunization Requirements for School Students and Employees of Nursery Schools and Health Care Facilities ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUCKER GRATWICK	ONTP	

This bill eliminates the philosophical exemption from immunization requirements for students in elementary and secondary schools and postsecondary schools and employees of nursery schools and health care facilities. The bill also directs the Department of Health and Human Services to remove any immunization exemptions because of philosophical beliefs from its rules.

LD 607 An Act To Stop the Abuse of Electronic Benefits Transfer Cards Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PARRY COLLINS	OTP-AM OTP-AM ONTP	

This bill amends the provisions regarding electronic benefits transfer cards by providing that:

1. For a violation of trafficking an electronic benefits transfer card, the benefits are suspended one year for a first offense and at least five years for a second or subsequent offense, with the penalties doubled if the benefits recipient trafficked the card in exchange for illegal drugs;
2. If an electronic benefits transfer card is found in the possession of a person other than the recipient and the person is arrested and charged for a drug offense, it creates a rebuttable presumption that the recipient trafficked the card for drugs;
3. A replacement electronic benefits transfer card must have a photograph of the recipient on the card; and
4. The Department of Health and Human Services is directed to send a letter to all recipients of benefits under the statewide food supplement program of the amended penalty provision. The recipient is required to sign and return the letter acknowledging the recipient understood the letter.

Committee Amendment "A" (H-245)

This amendment, which is the majority report of the committee, strikes out the sections of the bill relating to rebuttable presumption and penalties for trafficking. It retains the requirement for a replacement electronic benefits transfer card to have a photograph of the recipient on the card. The amendment also changes the title.

Committee Amendment "B" (H-246)

This amendment, which is a minority report of the committee, replaces the bill. It requires that the Department of Health and Human Services adopt rules if it requires the photograph of a recipient of an electronic benefits transfer card be added to the card either at issuance or replacement. Rules to add a photograph to the card are major substantive rules.

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House Amendment "A" To Committee Amendment "B" (H-402)

This amendment prohibits final adoption of rules requiring a photograph of a recipient to be included on an electronic benefits transfer card unless legislation authorizing adoption of these rules becomes law.

LD 622 An Act To Require Training of Mandated Reporters under the Child Abuse Laws CARRIED OVER

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

This bill requires that a person in the professional categories required to report suspected child abuse or neglect must have completed mandated reporter training within the previous year before a professional license or certification for that person may be issued or renewed.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 632 An Act To Require the State To Administer and Fund the General Assistance Program ONTP

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

This bill shifts responsibility for the full funding and administration of the general assistance program from municipalities to the Department of Health and Human Services. The bill directs the department to adopt by December 31, 2015 major substantive rules necessary to implement the transfer of responsibilities. The transfer of responsibilities under the bill is effective January 1, 2016.

LD 633 An Act To Improve the Health of Maine Citizens and the Economy of Maine by Providing Affordable Market-based Coverage Options to Low-income Uninsured Citizens CARRIED OVER

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to establish an affordable market-based program to provide health insurance coverage to low-income uninsured Maine citizens who earn less than 133 percent of the federal poverty level. The program would be modeled after the Insure Tennessee program and the SHARE Plan program in Wyoming.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

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**LD 647 An Act To Require the Department of Health and Human Services To
Update Its Rules Governing Services for Children with Cognitive
Impairments and Functional Limitations**

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY	OTP-AM ONTP	S-193

This bill requires the Department of Health and Human Services to annually update MaineCare coverage for rehabilitative and community support services for children with cognitive impairments and functional limitations. The bill also requires the department to amend MaineCare rules for those services, specifically amending the definitions of and coverage for specialized services and specialized services for children with cognitive impairments and functional limitations.

Committee Amendment "A" (S-193)

This amendment, which is the majority report of the committee, establishes an ongoing working group to evaluate research on treatments for children with cognitive impairments and functional limitations to determine treatments that are evidence-based and that may be eligible for MaineCare and to submit recommendations to the Commissioner of Health and Human Services. The working group shall submit a report on findings, current level of evidence and actions taken by the Department of Health and Human Services to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 15th of each odd-numbered year. It adds a requirement for the Department of Health and Human Services to publish a list of evidence-based treatments for children with cognitive impairments and functional limitations that are reimbursed by MaineCare. The amendment retains the rule-making requirement in the bill.

**LD 649 Resolve, To Ensure That MaineCare-eligible Children Have Equal
Access to Providers of Dental, Hearing and Vision Services**

RESOLVE 30

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY STUCKEY	OTP-AM	S-127

This resolve requires the Department of Health and Human Services to amend its Rule Chapter 101, MaineCare Benefits Manual, Chapter II, Section 75 to increase the reimbursement rate for eyeglasses for children by 50 percent by January 1, 2016. This resolve also directs the department to convene a task force to review the reimbursement rates for certain services to MaineCare recipients and to report the findings to the Joint Standing Committee on Health and Human Services.

Committee Amendment "A" (S-127)

This amendment replaces the resolve. The amendment requires the Department of Health and Human Services, with input from stakeholders, to develop a comprehensive strategy to ensure that MaineCare-eligible children have the same access to providers of dental, hearing and vision services as have children with private health insurance. The amendment requires the department to submit the strategy and related recommendations to the Joint Standing Committee on Health and Human Services by January 15, 2016.

Enacted Law Summary

Resolve 2015, chapter 30 requires the Department of Health and Human Services, with input from stakeholders, to develop a comprehensive strategy to ensure that MaineCare-eligible children have the same access to providers of dental, hearing and vision services as have children with private health insurance. It requires the department to

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submit the strategy and related recommendations to the Joint Standing Committee on Health and Human Services by January 15, 2016.

LD 661 An Act To Fund HIV, Sexually Transmitted Diseases and Viral Hepatitis CARRIED OVER
Screening, Prevention, Diagnostic and Treatment Services

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURSTEIN GRATWICK	OTP-AM ONTP	H-174

This bill provides ongoing General Fund appropriations of \$391,800 per year beginning in fiscal year 2014-15 to provide screening and prevention services and diagnostic and treatment services for individuals throughout the State who are uninsured and without covered access to such services and who are at risk in accordance with criteria established by the program.

Committee Amendment "A" (H-174)

This amendment strikes the fiscal year 2014-15 appropriation from the bill and adds an appropriation of \$391,800 in fiscal year 2016-17.

This bill was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by joint order, S.P. 555.

LD 662 An Act To Increase Access to Health Care through Telemedicine PUBLIC 137

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FOLEY GRATWICK	OTP-AM	H-194

This bill authorizes the Board of Licensure in Medicine to register a physician not licensed to practice medicine in this State to provide medical services through interstate telemedicine to patients in this State if certain requirements are met.

Committee Amendment "A" (H-194)

This amendment retains most provisions of the bill and does the following.

1. It allows the Board of Licensure in Medicine to register a physician not licensed to practice in the State to provide consultative services through interstate telemedicine.
2. As in the bill, it requires that the physician to be registered must be fully licensed without restriction to practice medicine in the state from which the physician provides telemedicine services.
3. It specifies that the physician to be registered may provide only consultative services and that a physician, advanced practice registered nurse or physician assistant in this State must retain ultimate authority over the diagnosis, care and treatment of the patient.
4. It requires that the physician to be registered register with the board every two years, instead of annually as in the bill, and pay a registration fee not to exceed \$500.
5. It removes the provision in the bill exempting certain physicians from the registration requirement.

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Enacted Law Summary

Public Law 2015, chapter 137 makes the following changes to the practice of interstate telemedicine.

1. The Board of Licensure in Medicine may register a physician not licensed to practice in the State to provide consultative services through interstate telemedicine.
2. The physician to be registered must be fully licensed without restriction to practice medicine in the state from which the physician provides telemedicine services.
3. The physician to be registered may provide only consultative services and a physician, advanced practice registered nurse or physician assistant in this State must retain ultimate authority over the diagnosis, care and treatment of the patient.
4. The physician to be registered registers with the board every two years and pay a registration fee no more than \$500.

LD 663	Resolve, To Require That the Department of Health and Human Services Determine Whether Testing for Krabbe Disease Should Be Required for Newborns	Leave to Withdraw Pursuant to Joint Rule
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WARD BRAKEY		

This resolve requires the Department of Health and Human Services to conduct a study to determine whether newborn infants should be tested for Krabbe disease as part of the screening process for detection of causes of cognitive disabilities and congenital, genetic and metabolic disorders. The department is required to submit its findings and a recommendation to the Joint Standing Committee on Health and Human Services, which is authorized to submit legislation to the Second Regular Session of the 127th Legislature regarding the findings and recommendation.

LD 664	Resolve, To Direct the Department of Health and Human Services To Submit a State Plan Amendment To Allow Community-based and Other Health Care Providers To Be Reimbursed by MaineCare	ONTP
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN VALENTINO	ONTP	

This resolve requires the Department of Health and Human Services to submit a state plan amendment to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to seek approval to reimburse for preventive tests and services that are currently reimbursed by MaineCare when administered by a licensed enrolled physician or other licensed practitioner when those preventive tests and services are administered by other practitioners acting within their scope of practice, including, but not limited to, community-based health care providers. Upon approval of the state plan amendment, the Department of Health and Human Services is directed to amend its rules to reflect the state plan amendment.

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LD 665 Resolve, Establishing the Commission To Study Services Available on the Long-term Care Continuum

**Died On
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POULIOT MILLETT	OTP-AM	H-162

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to create well-paying jobs and to reduce the State's costs for avoidable, preventable, high-cost emergency room, hospital and nursing home care by investing \$1,000,000 in a pilot block grant program for nonprofit home health care providers to provide light housekeeping, shopping, cooking, budget and medication management and referral services and assistance with other activities of daily living under the supervision of a primary care physician. Providers would apply via a competitive grant application process.

Committee Amendment "A" (H-162)

This resolve replaces the bill. It establishes the Commission To Study Services Available on the Long-term Care Continuum. The commission is required to examine issues on the long-term care continuum from homemaker services and home-based care to residential and nursing facility care to determine whether these services are being provided efficiently and whether the provision of services allows for individuals to move through the long-term care continuum from one program to another as needs change; review recent recommendations, legislation and policy initiatives; determine future needs in the long-term care continuum; examine direct care workforce issues; and develop strategies to support family members providing free care. The commission must submit its report, including suggested legislation, to the Joint Standing Committee on Health and Human Services no later than December 2, 2015. The committee may report out legislation to the Second Regular Session of the 127th Legislature.

LD 666 An Act To Allow a Patient To Designate a Caregiver in the Patient's Medical Record

PUBLIC 370

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GATTINE BRAKEY	OTP-AM OTP-AM	H-432

This bill allows a patient admitted to a hospital to designate a caregiver, who may provide aftercare for the patient and whose identifying information must be entered into the patient's medical records at the hospital. If the patient or patient's legal guardian provides written consent to release medical information to the designated caregiver, the hospital is required to notify the caregiver prior to the patient's being discharged or transferred, consult with the caregiver as to the patient's discharge plan and provide the caregiver any necessary instruction in providing aftercare to the patient if the patient is discharged to the patient's residence.

Committee Amendment "A" (H-432)

This amendment makes the following changes to section 6 of the bill.

1. It eliminates the definition of "entry."
2. It eliminates the requirement that the designation of a caregiver needs to be made within the first 24 hours.
3. It changes the notice requirements to caregivers from a requirement to notify to a requirement to make reasonable efforts to notify.

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- 4. It eliminates what a discharge plan must include and defers to the hospital's established policy.
- 5. It eliminates the instruction requirements.

Committee Amendment "B" (H-433)

This amendment, which is the minority report, makes the following changes to section 6 of the bill.

- 1. It adds a definition of "hospital" establishing that the provisions apply only to hospitals that receive money under the Maine Revised Statutes, Title 22, chapter 855 provided to Medicaid recipients under the provisions of the United States Social Security Act, Title XIX and successors to it and related rules of the State's Department of Health and Human Services.
- 2. It eliminates the definition of "entry."
- 3. It eliminates the requirement that the designation of a caregiver needs to be made within the first 24 hours.
- 4. It changes the notice requirements to caregivers from a requirement to notify to a requirement to make reasonable efforts to notify.
- 5. It eliminates what a discharge plan must include and defers to the hospital's established policy.
- 6. It eliminates the instruction requirements.

Enacted Law Summary

Public Law 2015, chapter 370 allows a patient admitted to a hospital to designate a lay caregiver, who may provide aftercare for the patient and whose identifying information must be entered into the patient's medical records at the hospital. If the patient or patient's legal guardian provides written consent to release medical information to the designated lay caregiver, the hospital is required to make reasonable efforts to notify the lay caregiver prior to the patient's being discharged or transferred and consult with the lay caregiver as to the patient's discharge plan.

LD 667 Resolve, Directing the Department of Health and Human Services To ONTP
Educate the Public and Department Clients about How To Protect One's
Family from Bisphenol A

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURSTEIN GRATWICK	ONTP	

This resolve directs the Department of Health and Human Services to update the information it provides on the page on its publicly accessible website entitled "How to Protect Your Family from BPA (Bisphenol A)" to reflect the latest scientific findings and to develop educational outreach materials and a plan to educate members of the public at greatest risk from bisphenol A, including participants in the Special Supplemental Nutrition Program for Women, Infants and Children of the federal Child Nutrition Act of 1966.

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LD 714 Resolve, Directing the Department of Health and Human Services To ONTP
Study Providing Medical Assistance to Maine's Inhabited Islands

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COOPER LANGLEY	ONTP	

This resolve requires the Department of Health and Human Services to study the feasibility of, need for and cost of providing telemedicine medical assistance for residents and visitors on all the year-round inhabited islands in the State and to report to the Joint Standing Committee on Health and Human Services no later than January 15, 2016.

LD 715 Resolve, Directing the Department of Health and Human Services To Died Between
Hire Health Inspectors Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COOPER HASKELL	OTP-AM ONTP	

This resolve directs the Department of Health and Human Services to hire a sufficient number of state-certified health inspectors to inspect each restaurant in this State at least once a year. The Department of Health and Human Services is required to report to the Joint Standing Committee on Health and Human Services on the number of health inspectors hired by the department pursuant to this resolve and the cost of those health inspectors no later than December 2, 2015. The Joint Standing Committee on Health and Human Services is authorized to report out a bill to the Second Regular Session of the 127th Legislature related to health inspections for restaurants.

Committee Amendment "A" (H-199)

This amendment is the majority report of the committee. It specifies that the Department of Health and Human Services must hire five new state-certified health inspectors, instead of a sufficient number of inspectors as proposed in the resolve, and clarifies that the additional inspectors are to be hired for the purpose of inspecting each licensed establishment in this State pursuant to the Maine Revised Statutes, Title 22, section 2497. The amendment keeps the requirement that directs the department to report to the Joint Standing Committee on Health and Human Services regarding the cost of the new health inspectors and adds a requirement that the department report on whether it is meeting the inspection requirements of Title 22, section 2497. The amendment also adds an appropriations and allocations section.

LD 722 An Act To Strengthen Penalties for Abuse of General Assistance PUBLIC 312

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAKEY	OTP-AM	S-204

This bill provides that a person who makes a false representation of a material fact to obtain municipal general assistance is ineligible to receive further assistance for a period of the longer of 120 days and until that reimbursement is made. Current law provides for a period of ineligibility of 120 days.

Committee Amendment "A" (S-204)

This amendment replaces the bill. The amendment provides that a person who makes a false representation of a material fact to obtain municipal general assistance is ineligible to receive further assistance either for a period of

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120 days or until reimbursement is made or that person enters into a written agreement, which must be reasonable, to reimburse the municipality, whichever period is longer. The amendment also provides that the overseer of municipal general assistance may make a determination that a person has made a false representation of a material fact to obtain general assistance.

Enacted Law Summary

Public Law 2015, chapter 312 provides that a person who makes a false representation of a material fact to obtain municipal general assistance is ineligible to receive further assistance either for a period of 120 days or until reimbursement is made or that person enters into a written agreement, which must be reasonable, to reimburse the municipality, whichever period is longer. The overseer of municipal general assistance may make a determination that a person has made a false representation of a material fact to obtain general assistance.

LD 726 An Act To Increase Patient Safety in Maine's Medical Marijuana Program CARRIED OVER

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

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

1. Increasing the amount of excess prepared marijuana a registered primary caregiver may transfer for reasonable compensation in a calendar year from two pounds to five pounds;
2. Specifying that, like registered dispensaries, a primary caregiver's cultivation facility is subject to reasonable inspection by the Department of Health and Human Services at any time, without prior notice;
3. Requiring the Department of Health and Human Services to adopt routine technical rules governing the manner in which the department considers an application for and a renewal of a registry identification card for a primary caregiver;
4. Clarifying that the information provided by the Department of Health and Human Services to the Department of Administrative and Financial Services, Bureau of Revenue Services may be used by the bureau to determine whether an applicant for a license or renewal of a license as a registered dispensary has complied with the tax laws; and
5. Specifying that the Medical Use of Marijuana Fund may be used by the Department of Health and Human Services for enforcement purposes that are primarily for the protection of public health and safety and for investigations.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 734 An Act To Repeal the Certificate of Need Requirement for Hospitals Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAKEY SIROCKI	ONTP OTP-AM	

Under current law, before introducing additional health care services and procedures in a market area, a person must

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apply for and receive a certificate of need from the Department of Health and Human Services. This bill eliminates that requirement.

Committee Amendment "A" (S-167)

This amendment, which is the minority report of the committee, changes the bill title to reflect that it eliminates the entire certificate of need process rather than only the certificate of need process for hospitals. The amendment also adds an appropriations and allocations section.

LD 736 An Act To Allow Access to Certain Death Records

PUBLIC 189

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK ESPLING	OTP-AM	S-199

This bill requires that when a physician or clinical psychologist has evaluated a person for the purpose of providing a second opinion on whether the person meets the criteria for emergency admission to a psychiatric hospital and determines that the person does not meet the criteria, the physician or clinical psychologist must destroy the written application for emergency admission and accompanying certificate.

The bill also authorizes the names and dates of death of individuals who died while patients at the Pineland Hospital and Training Center to be made available to the public in accordance with rules adopted by the Department of Health and Human Services.

Committee Amendment "A" (S-199)

This amendment strikes section 2 of the bill, which requires that when a physician or clinical psychologist has evaluated a person for the purpose of providing a second opinion on whether the person meets the criteria for emergency admission to a psychiatric hospital and determines that the person does not meet the criteria, the physician or clinical psychologist must destroy the written application for emergency admission and accompanying certificate.

Enacted Law Summary

Public Law 2015, chapter 189 authorizes the names and dates of death of individuals who died while patients at the Pineland Hospital and Training Center to be made available to the public in accordance with rules adopted by the Department of Health and Human Services.

LD 751 An Act To Provide Consideration of the Need for Nursing Facility Beds in the Area Where They Are Located before Those Beds Are Lost

ONTP

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

This bill requires the certificate of need process to take into account the effect of the loss of nursing facility beds on the community's health and economy and on family members and the individuals occupying the beds. The existing process examines only the need for new beds in an area where beds have been proposed.

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LD 752 An Act To Permit Medical Marijuana Cultivation by Incapacitated Adults Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY L BRAKEY	OTP-AM	H-331

This bill allows a qualifying patient under the Maine Medical Use of Marijuana Act who is an incapacitated adult to possess marijuana and cultivate marijuana for that incapacitated adult's own use.

Committee Amendment "A" (H-331)

This amendment specifies that a qualifying patient who is an incapacitated adult may not cultivate marijuana for that patient's use unless the patient's legal guardian or person to whom the patient has granted power of attorney for health care decisions is designated as the patient's primary caregiver. Additionally, that primary caregiver may assist the qualifying patient with cultivation of the patient's own marijuana if the marijuana plants that are dedicated to the patient are segregated from any other marijuana plants.

The amendment prohibits a public guardian or conservator described under the Maine Revised Statutes, Title 18-A, section 5-601 from cultivating marijuana for a qualifying patient who is an incapacitated adult, but that guardian or conservator may designate a second primary caregiver to assist that patient with cultivation if the marijuana plants that are dedicated to the patient are segregated from any other marijuana plants.

LD 766 An Act To Require a Medical Marijuana Primary Caregiver Cultivating in a Residential Building To Obtain an Electrical Permit ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COREY DUTREMBLE	ONTP	

This bill amends the Maine Medical Use of Marijuana Act to require, beginning January 2, 2016, a primary caregiver to obtain an electrical permit from an electrical inspector prior to cultivating in a residential building.

LD 771 An Act To Promote Dental Services for Prenatal and Postpartum Women ONTP

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

This bill provides MaineCare coverage for dental services including diagnostic, preventive and restorative services to pregnant women and postpartum women 21 years of age and older.

LD 772 An Act To Amend the Membership of the Child Care Advisory Council ONTP

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

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This bill:

1. Amends the membership of the Child Care Advisory Council to include an employee of the Department of Health and Human Services, Division of Licensing and Regulatory Services; and
2. Further amends the statute relating to membership of the Child Care Advisory Council to reflect the Maine Afterschool Network's new partnership with the University of Southern Maine.

LD 782 An Act To Improve the Quality of Life of Persons with Serious Illnesses

PUBLIC 203

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LANGLEY MAKER	OTP	

This bill establishes the Palliative Care and Quality of Life Interdisciplinary Advisory Council to advise the Department of Health and Human Services, Maine Center for Disease Control and Prevention and report to three legislative committees. The bill requires the Maine Hospice Council, if resources permit, to establish an information and education program to maximize the effectiveness of palliative care initiatives by ensuring that comprehensive and accurate information and education are available and allows the council to seek outside funding for the advisory council. The bill requires the executive director of the Maine Hospice Council to convene the first meeting of the advisory council by October 1, 2015.

Enacted Law Summary

Public Law 2015, chapter 203 establishes the Palliative Care and Quality of Life Interdisciplinary Advisory Council to advise the Department of Health and Human Services, Maine Center for Disease Control and Prevention and report to three legislative committees. It further establishes the membership, procedures and duties of the advisory council.

Public Law 2015, chapter 203 requires the Maine Hospice Council, if resources permit, to establish an information and education program to maximize the effectiveness of palliative care initiatives by ensuring that comprehensive and accurate information and education are available and allows the council to seek outside funding for the advisory council. It further requires the executive director of the Maine Hospice Council to convene the first meeting of the advisory council by October 1, 2015.

LD 798 An Act To Strengthen Maine's Hospitals and Increase Access to Health Care

ONTP

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

This bill, which is contingent on approval by the voters of the State at referendum, does the following.

1. It expands medical coverage under the MaineCare program to adults who qualify under federal law with incomes up to 133 percent of the nonfarm income official poverty line, with the five percent federal income adjustment for family size. It repeals the expansion of medical coverage under the MaineCare program December 31, 2020, and it provides for repeal of the expansion prior to 2020 under certain circumstances.
2. It requires the Commissioner of Health and Human Services to provide certain information to the Secretary of the United States Department of Health and Human Services to enable the secretary to make the determination as to

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the eligibility of the State to obtain an enhanced Federal Medical Assistance Percentage for services for MaineCare members eligible as childless adults. It provides that until the secretary confirms that the State will get the enhanced reimbursement rate as set forth in the federal Patient Protection and Affordable Care Act, for the childless adult population in MaineCare, including persons who were members under that eligibility grouping on December 1, 2009, the expansion of medical coverage under the MaineCare program will not take effect. It requires the commissioner, upon receiving confirmation from the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services, to notify the President of the Senate, the Speaker of the House of Representatives and the Revisor of Statutes and to provide them with a copy of the written confirmation.

3. It requires the Office of Fiscal and Program Review to contract with a private, nonpartisan research organization to evaluate the impact of the MaineCare expansion. It requires a report to the Legislature on the amount of General Fund savings resulting from the MaineCare expansion.

4. It amends current law on copayments in the MaineCare program. It directs the Department of Health and Human Services to increase copayments for adults with income above 100 percent of the nonfarm income official poverty line to the maximum allowable under federal law and to increase nominal copayments by the annual percentage increase in the medical care component of the Consumer Price Index for All Urban Consumers. It directs the department to increase MaineCare copayments for services provided in a hospital emergency room when the services are not emergency services. It requires the department to track aggregate copayments in compliance with federal law.

LD 808 An Act To Decrease Uncompensated Care, Reduce Medical Debt and Improve Health Outcomes ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HASKELL DION	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to enact measures, tailored to the unique conditions in Maine, designed to:

1. Reduce the burden of uncompensated medical care in Maine experienced by health care providers in hospitals, health centers and health care provider offices, including care provided through charity care programs;
2. Lower the number of uninsured in Maine by providing a strategy for uninsured, low-income persons with income up to 133 percent of the federal poverty level to have access to health coverage using available, cost-effective health care coverage options for Medicaid;
3. Address inefficiencies within our current health care systems, use federal funds available to Maine and offer more options for insurance coverage to the uninsured; and
4. Allow Maine to remain competitive with neighboring states, bring savings to the General Fund and protect the fiscal sustainability of rural and safety net hospitals and health centers.

LD 812 An Act To Prevent Drug Overdose Deaths by Enhancing Access to Opioid Antagonists ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRATWICK GIDEON	ONTP	

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This bill authorizes the prescription, possession and administration of opioid antagonists under certain circumstances and provides criminal and civil immunities for such prescription, possession and administration.

LD 816 An Act To Reform Welfare and Eliminate the Welfare Cliff ONTP

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to enact measures designed to reform welfare and eliminate the so-called welfare cliff. This bill would establish a system of gradual reduction, rather than an abrupt cessation, of welfare benefits to an individual as the individual's income rises.

LD 821 An Act To Promote Equity in Business Opportunity for Tobacco Specialty Stores Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HAMPER GINZLER	OTP-AM ONTP	

This bill allows certain tobacco specialty stores to be licensed as a cigar lounge, which may serve nonalcoholic and alcoholic beverages. A cigar lounge may not sell cigarettes or prepare food on premises for sale. A tobacco specialty store that is a cigar lounge must provide notice about the dangers of environmental tobacco smoke to applicants for employment and employees. The cigar lounge license fee is \$100.

Committee Amendment "A" (S-262)

This amendment, which is the majority report of the committee, amends the bill by prohibiting the use of electronic nicotine delivery devices in cigar lounges and prohibiting a person under 21 years of age from being on the premises or employed by the cigar lounge. It clarifies that a cigar lounge license under the Maine Revised Statutes, Title 28-A is required for a cigar lounge to operate.

LD 831 Resolve, To Reduce MaineCare Spending through Targeted Prevention Services RESOLVE 54

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN VALENTINO	OTP-AM	H-281 S-326 HAMPER

This resolve requires the Department of Health and Human Services to file an application with the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to request that home-delivered meals be a reimbursable covered service under the State's home-based and community-based services waivers. The purpose of this resolve is to improve health and delay entry into facility-based care.

Committee Amendment "A" (H-281)

This amendment limits the proposal for home-delivered meals in the resolve to individuals qualified for services under Rule Chapter 101, MaineCare Benefits Manual, Chapter II, Section 19 who also are experiencing transitions of care, have debilitating or acute illnesses or are primarily homebound and unable to prepare nutritious meals. The amendment also adds an appropriations and allocations section.

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Senate Amendment "A" To Committee Amendment "A" (S-326)

This amendment removes the appropriations and allocations section.

Enacted Law Summary

Resolve 2015, chapter 54 requires the Department of Health and Human Services to file an application with the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to request that home-delivered meals be a reimbursable covered service for individuals qualified for services under Rule Chapter 101, MaineCare Benefits Manual, Chapter II, Section 19 who are also experiencing transitions of care, have debilitating or acute illnesses or are primarily homebound and unable to prepare nutritious meals. Funding for this service was included in Public Law 2015, chapter 267.

LD 832 An Act To Improve Public Health in Maine ONTP

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to consolidate the infrastructure for various public health services, such as emergency medical technician services, on a countywide basis.

LD 841 Resolve, Directing the Department of Health and Human Services To ONTP
Develop a Bus Pass Program

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STUCKEY HASKELL	ONTP	

This resolve requires the Department of Health and Human Services to develop and implement a bus pass program by January 1, 2016 to serve individuals who live in areas served by public bus systems and who use those transport systems to attend medical appointments reimbursed by MaineCare under the nonemergency transportation program within the MaineCare program and participate in other programs that are aimed at fostering independence and economic security such as the ASPIRE-TANF program. The department must identify funding sources that could be leveraged, including funding currently used for the nonemergency transportation program within the MaineCare program and possible Department of Labor and Department of Education resources targeted toward employment. The department must report to the Joint Standing Committee on Health and Human Services by March 1, 2016 on the status of the bus pass program including the number of passes issued and individuals being served and sources of funding.

LD 842 An Act To Establish Peer Center Reimbursement CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STUCKEY LIBBY		

This bill directs the Department of Health and Human Services to establish reimbursement rates for peer centers.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

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LD 854 An Act To Increase Access to Health Security by Expanding Federally Funded Health Care for Maine People

Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN GRATWICK	OTP-AM ONTP	

This bill expands medical coverage under the MaineCare program to adults who qualify under federal law with incomes up to 133 percent of the nonfarm income official poverty line, with the five percent federal income adjustment for family size, and qualifies Maine to receive federal funding for 100 percent of the cost of coverage for members who enroll under the expansion. Adults who will be eligible are those 21 to 64 years of age beginning January 1, 2016 and adults 19 and 20 years of age beginning October 1, 2019.

Committee Amendment "A" (H-470)

This amendment replaces the substantive provisions of the bill, designating as Part A the provision of the bill that expands medical coverage under the Medicaid program to adults under 65 years of age who qualify under federal law with incomes up to 133 percent of the nonfarm income official poverty line, with the five percent federal income adjustment for family size, and qualifies the State to receive enhanced federal funding for the cost of coverage of newly eligible members. It further provides for an annual expenditure cap for services, requiring quarterly expenditure reporting and a mechanism for terminating coverage if it is determined that expenditures will not remain within the cap. It also terminates coverage if the enhanced federal share drops below the amount specified in the federal Patient Protection and Affordable Care Act, 42 United States Code, Section 18001, et seq., as enacted in 2010.

Part B requires the Office of Fiscal and Program Review to study the impact of the MaineCare expansion on programs and services that do not currently receive federal medical assistance percentage matching funds or do not qualify for enhanced federal medical assistance percentage matching funds under the federal Patient Protection and Affordable Care Act with the goal of identifying and maximizing General Fund savings. The fiscal office shall report twice, no later than February 15, 2016 and February 15, 2017, respectively, to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs, the joint standing committee of the Legislature having jurisdiction over health and human services matters and the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters on the amount of General Fund savings resulting from the MaineCare expansion. It requires the State Budget Officer to calculate the amount of savings that applies against each General Fund account for all departments and agencies from savings associated with the MaineCare expansion and to transfer the amounts by financial order upon the approval of the Governor. Any remaining savings must be transferred to the MaineCare Stabilization Fund. It adds an appropriations and allocations section.

LD 860 Resolve, To Adjust Reimbursement Rates for Dental Services and Improve Access to Dental Care under the MaineCare Program

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCORMICK	OTP-AM OTP-AM	S-235

This resolve directs the Department of Health and Human Services to incrementally adjust the MaineCare reimbursement rates for certain dental services annually over the next five years until the rates reach the 10th percentile of the fees for the New England region in the most recent "Survey of Dental Fees" published by the American Dental Association. The resolve provides that the rates must then be adjusted annually for inflation.

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Committee Amendment "A" (S-235)

This amendment is the majority report of the committee. It clarifies that increases to reimbursement rates of the dental codes in the resolve are to be made in five equal increases. The amendment requires the Department of Health and Human Services to amend the rules under Chapter 101: MaineCare Benefits Manual, Chapter II, Section 25 to cover diagnostic and preventive services to pregnant women and postpartum women and dental services necessary to avoid more costly medical or dental care as identified by a stakeholder group. It requires the Department of Health and Human Services to provide information concerning adult dental benefits to adult MaineCare members and providers. It requires the department to adopt rules by January 1, 2016 relating to dental coverage for pregnant women and postpartum women and for services provided to avoid more costly medical or dental care. The amendment also adds an appropriations and allocations section. The amendment also changes the title and adds a fiscal note.

Committee Amendment "B" (S-236)

This amendment, which is the minority report of the committee, replaces the resolve. It requires the Department of Health and Human Services to conduct a review of the reimbursement rates under the MaineCare program for the dental codes in the resolve to determine if the current reimbursement levels are appropriate for recruiting and retaining sufficient numbers and geographic coverage of dentists providing services to MaineCare members. The department shall report its findings no later than January 1, 2016 to the Joint Standing Committee on Health and Human Services. The joint standing committee may report out legislation related to the report to the Second Regular Session of the 127th Legislature.

This resolve was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by joint order, S.P. 555.

LD 885 An Act To Promote Enhanced Eligibility Verification in Maine's Welfare System CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ESPLING BRAKEY		

This bill requires the Department of Health and Human Services to determine the eligibility for benefits of recipients of State assistance on an annual basis.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 886 Resolve, Directing the Department of Health and Human Services To Increase Reimbursement Rates for Home-based and Community-based Services CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ESPLING LIBBY		

This resolve directs the Department of Health and Human Services to increase the reimbursement rates for home-based and community-based services by January 15, 2016.

This resolve was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

Joint Standing Committee on Health and Human Services

LD 905 Resolve, To Study Allocations of the Fund for a Healthy Maine

**RESOLVE 47
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAVERS DUTREMBLE	OTP-AM	H-204 S-334 MASON

This bill establishes an ongoing commission to review whether allocations of the Fund for a Healthy Maine are properly aligned with the State's public and preventive health priorities and goals and recommend adjustments to allocations as necessary. Under the bill, the commission is authorized to meet up to six times every three years when the Legislature is not in session and the commission's first report must be submitted by December 7, 2015 to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee having jurisdiction over health and human services matters. Money in the Fund for a Healthy Maine may be used to fund the activities of the commission.

Committee Amendment "A" (H-204)

This amendment replaces the bill and turns it into a resolve. The amendment directs the Joint Standing Committee on Health and Human Services to review whether allocations of the Fund for a Healthy Maine are properly aligned with the State's public and preventive health priorities and goals and recommend adjustments to allocations as necessary instead of creating an ongoing commission to study the allocations as in the bill. Under the amendment, the committee is authorized to meet up to six times when the Legislature is not in session and the committee's report must be submitted by December 2, 2015.

Senate Amendment "A" To Committee Amendment "A" (S-334)

This amendment reduces the number of times the Joint Standing Committee on Health and Human Services is authorized to meet to review allocations from the Fund for a Healthy Maine from six to four.

Enacted Law Summary

Resolve 2015, chapter 47 directs the Joint Standing Committee on Health and Human Services to review whether allocations of the Fund for a Healthy Maine are properly aligned with the State's public and preventive health priorities and goals and recommend adjustments to allocations as necessary. The committee is authorized to meet up to four times when the Legislature is not in session and the committee's report must be submitted by December 2, 2015.

Resolve 2015, chapter 47 was finally passed as an emergency measure effective July 12, 2015.

LD 917 Resolve, To Improve Access to Dental Care through a Pediatric Medical Benefit

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASTRACCIO GERZOFISKY	ONTP	

This resolve directs the Department of Health and Human Services to amend its rules in order to provide for equity between payment for preventive pediatric dental services, including fluoride varnish applications and oral evaluations, provided by medical providers at federally qualified health centers, which must be set at a rate greater than the ambulatory encounter rate used for medical providers, and payment for such services by medical providers in other settings.

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LD 928 Resolve, To Enhance Consumer Awareness of Expenditures and Gifts by ONTP
Manufacturers of Prescribed Products

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WARREN CYRWAY	ONTP	

This resolve requires the Department of Health and Human Services to develop a fact sheet that provides information to the public regarding the publicly searchable database of payments and gifts to physicians by medical product manufacturers developed by the federal Department of Health and Human Services, Centers for Medicare and Medicaid Services under Secion 6002 of the federal Patient Protection and Affordable Care Act, Public law 111-148.

LD 940 Resolve, To Require Hospitals To Provide Information to Parents of Leave to Withdraw
Infants Regarding Testing for Krabbe Disease Pursuant to Joint
Rule

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

This resolve requires the Department of Health and Human Services, Maine Center for Disease Control and Prevention to develop an information pamphlet on testing for Krabbe disease for dissemination by a hospital to all parents of newborn infants born at the hospital or to the parents of any child up to six months of age being treated at the hospital. The Maine Center for Disease Control and Prevention is required to develop the pamphlet by December 1, 2015.

LD 949 An Act To Enact the Recommendations of the Commission on CARRIED OVER
Independent Living and Disability

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

This bill includes the final recommendations of the Commission on Independent Living and Disability and does the following.

1. Part A replaces the requirement in current law for biennial plans for regional transit with a requirement for quinquennial plans, which is consistent with federal requirements. It eliminates the Interagency Transportation Coordinating Committee and replaces it with a new public transit advisory council. It also specifies the role of the council and requires reporting every two years. It requires the Department of Health and Human Services to convene a work group to develop a statewide transportation voucher program for persons with disabilities.
2. Part B adds new transition planning requirements for students with disabilities to include team meetings that must begin at 14 years of age with community partners, community service providers, the students and their families, the division of vocational rehabilitation within the Department of Labor, Bureau of Rehabilitation Services and the agency that is designated by the Governor to serve as the protection and advocacy agency for persons with disabilities. It requires that the transition planning include independent living assessments for the students. For students who receive services from the Department of Health and Human Services, Office of Child and Family

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Services, it requires the school administrative unit to work in consultation with the division of vocational rehabilitation within the Department of Labor, Bureau of Rehabilitation Services to include postsecondary preparation strategies for the students during transition planning.

3. Part C requires the Statewide Independent Living Council to provide an annual report to the Legislature on the State's strategic planning efforts to increase opportunities for persons with disabilities to live independently within the community. It also requires the Commissioner of Labor to provide an annual report to the Legislature on the State's efforts to improve vocational rehabilitation outcomes and reduce the length of time it takes the department to enter into an individualized plan of employment with individuals eligible to receive rehabilitation services.

4. Part D amends the Maine Human Rights Act to require an on-site inspection by a representative of the Office of the State Fire Marshal to ensure that new public buildings and certain buildings to which the public has access are constructed in compliance with the Maine Human Rights Act. It also requires the Technical Building Codes and Standards Board to adopt the most recent federal Americans with Disabilities Act of 1990 accessibility guidelines as published by the International Code Council. It also authorizes the agency that is designated by the Governor to serve as the protection and advocacy agency for persons with disabilities in Maine to bring a civil action in Superior Court for violations of the Maine Human Rights Act regarding public accommodations and allows the agency to receive reasonable attorney's fees and costs.

5. Part E requires a housing authority to post all rental housing vacancies that are readily accessible to and usable by persons with disabilities on the Maine State Housing Authority's publicly accessible rental housing listing service website.

6. Part F requires the Department of Health and Human Services to amend the federally approved Medicaid state plan to include and broaden coverage for assistive technology without the restrictions currently applied to telehealth; cover assistive technology within all Department of Health and Human Services waivers; include telemedicine; broaden telehealth use; and broaden telehealth home-based care.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 966 An Act To Assist Patients in Need of Psychiatric Services

CARRIED OVER

Sponsor(s)

MALABY

Committee Report

Amendments Adopted

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to take steps to help provide acute psychiatric care in an inpatient setting by increasing the availability of inpatient beds. The bill will seek to do the following:

1. Create and fund additional psychiatric beds for geriatric patients;
2. Review and make changes to the bed hold regulations for nursing homes and group homes to create incentives to take difficult mental health patients back after a hospital stay;
3. Review and make changes to the bed hold regulations for nursing homes and group homes to create penalties for facilities that refuse to take difficult mental health patients back after a hospital stay;
4. Provide psychiatric urgent care centers with accompanying medically supervised crisis beds;
5. Create and fund additional psychiatric observation units;

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- 6. Create an effective and professional mental health placement rapid response team or ombudsman in the Department of Health and Human Services; and
- 7. Provide additional MaineCare reimbursement for long-stay mental health emergency department patients and patients awaiting placement in psychiatric units.

The substance of this bill was included in Resolve 2015, chapter 44 (see LD 155).

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 969 An Act To Preserve Jobs and Primary Care Services in Rural and Underserved Areas of Maine **Died On Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ MARTIN J	OTP-AM ONTP	S-68

This bill provides for the allocation of funding among Maine's federally qualified health centers to support access to primary medical, behavioral health and dental services for residents in rural and underserved communities. This funding is targeted to support the provision of primary care services for the uninsured and underinsured, as well as to assist with provider recruitment and retention.

Committee Amendment "A" (S-68)

This amendment, which is the majority report of the committee, incorporates a fiscal note.

Funding for federally qualified health centers was included in Public Law 2015, chapter 267.

LD 977 An Act To Improve Child Care in the State **Died Between Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FREY	OTP-AM ONTP	

This bill provides funds to fully match federal funds for child care development.

Committee Amendment "A" (H-287)

This amendment, which is the majority report of the committee, adds a fiscal note.

LD 989 An Act To Limit the Use of Extended-release Hydrocodone Bitartrate **Accepted Majority (ONTP) Report**

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

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This bill establishes requirements that a prescriber must follow prior to prescribing extended-release hydrocodone bitartrate. The bill requires prescribers of extended-release hydrocodone bitartrate to:

1. Obtain prescription monitoring information related to the patient;
2. Schedule a follow-up visit with the patient; and
3. Assess the patient's pain to evaluate whether the patient's pain can be managed with a medication other than extended-release hydrocodone bitartrate.

LD 1006 An Act To Prevent Beneficiaries under the Statewide Food Supplement Program from Carrying Forward Unused Benefit Amounts ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ POULIOT	ONTP	

This bill requires that any unused balance in excess of \$1,000 representing statewide food supplement program benefits that were not used in the previous calendar year in a recipient's electronic benefits transfer account on January 1st must be transferred from the account to the General Fund.

LD 1030 An Act To Better Coordinate the Work of Mental Health Crisis Agencies with Law Enforcement Agencies CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DION GERZOFISKY		

This bill requires the Department of Health and Human Services to provide assistance to crisis intervention teams and agencies that provide mental health crisis services and to law enforcement agencies to enable them to coordinate mental health crisis services. The bill sets July 1, 2016 as the date by which a crisis intervention team or agency must enter into and sign a memorandum of understanding with each law enforcement agency that provides law enforcement services in the area of the State served by the crisis intervention team or agency. The bill requires the memorandum of understanding to be effective for three years and to be renewed for a three-year period upon expiration. The memorandum of understanding must include descriptions of the following: the internal processes that the law enforcement agency uses to identify a person in need of mental health crisis services; the protocol that the law enforcement agency uses to share a contact report with a crisis intervention team or agency; the process the crisis intervention team or agency uses to receive the report; the protocol that the crisis intervention team or agency uses to communicate with a person in need of mental health services or the guardian or family members of that person; and the procedures to be used to convene on a quarterly basis multidisciplinary team meetings to review experiences and discuss opportunities for improvement.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 1034 An Act To Prohibit the Use of EBT Cards for Cash Withdrawals ONTP

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

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This bill provides that benefits received through the electronic benefits transfer system may only be redeemed through purchase by electronic transfer and may not be redeemed for cash.

LD 1035 An Act To Create a 9-month Time Limit on General Assistance Benefits

Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAKEY	ONTP OTP-AM	

This bill limits to a maximum of 275 days every five years the general assistance benefits a person who does not have any dependents and who is capable of working may receive.

Committee Amendment "A" (S-85)

This amendment, which is the minority report of the committee, adds a fiscal note.

LD 1036 An Act To Prioritize Use of Available Resources in General Assistance Programs

Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAKEY	ONTP OTP-AM	

This bill makes an applicant for general assistance who voluntarily abandons or refuses to use an available resource without just cause ineligible to receive general assistance to replace the abandoned resource for a period of 120 days from the date the applicant abandons the resource. The bill defines "available resource" as a resource that is immediately available or can be secured without delay. The bill also makes an applicant who forfeits an available resource due to fraud, misrepresentation or intentional violation or refusal to comply with rules without just cause ineligible to receive general assistance to replace the forfeited resource for the duration of the sanction imposed on the applicant for violation of a rule or 120 days, whichever is greater. The bill identifies circumstances relating to use of an available resource under which just cause must be found.

Committee Amendment "A" (S-194)

This amendment, which is the minority report of the committee, retains from the bill a definition for "available resource" but moves it to the general definition section for the chapter of law relating to municipal general assistance. The amendment also removes the provision in the bill that identifies circumstances relating to the use of an available resource under which just cause must be found, relying instead on the definition of "just cause" in the general definition section.

LD 1037 An Act To Establish a 180-day Residency Requirement for Welfare Benefits

Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAKEY	ONTP OTP-AM	

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This bill establishes a 180-day residency requirement for applicants for the MaineCare program, the statewide food supplement program, the Temporary Assistance for Needy Families program and municipal general assistance.

Committee Amendment "A" (S-263)

This amendment is the minority report of the committee. The amendment establishes a 180-day residency requirement for state-funded Temporary Assistance for Needy Families, Supplemental Nutrition Assistance Program and supplemental security income and the general assistance program. It does not apply to benefits that include federal funding. A victim of domestic violence is not subject to the 180-day residency requirement.

LD 1049 An Act To Further Define Duties for Persons Who Hold Powers of Attorney or Act as Agents for Residents of Long-term Care Facilities

PUBLIC 247

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN J ROSEN	OTP-AM	H-319

This bill defines duties on the part of persons who hold powers of attorney or act as agents for residents of long-term care facilities or for persons applying to become residents of long-term care facilities and requires them to promptly apply for coverage of services under the MaineCare and other applicable payment programs and comply with all requirements governing these programs. It also provides remedies for breach of those duties. The bill further requires the Department of Health and Human Services to amend the terms and requirements of the standardized nursing facilities admissions contract set forth in the Maine Revised Statutes, Title 22, section 1826 and the standard contract for licensed assisted living programs set forth in applicable rules to incorporate these several duties and requirements. The bill also permits collection of attorney's fees and costs from persons who breach the duties established by this bill.

Committee Amendment "A" (H-319)

This amendment replaces the statutory requirements in the bill with a provision that directs the Department of Health and Human Services to amend rules relating to the terms and requirements and defining the duties, obligations and legal remedies of the parties to the standard admission contract for residents of nursing homes and assisted housing programs. The amendment retains the provision in the bill permitting the collection of attorney's fees and costs from an agent who breaches the agent's duties.

Enacted Law Summary

Public Law 2015, chapter 247 directs the Department of Health and Human Services to amend rules relating to the terms and requirements and defining the duties, obligations and legal remedies of the parties to the standard admission contract for residents of nursing homes and assisted housing programs. It permits the collection of attorney's fees and costs from an agent who breaches the agent's duties.

LD 1050 An Act To Reimburse Nursing Homes for the Loss of Coinsurance and Deductibles for Skilled Nursing Beds under Rules Adopted by the Department of Health and Human Services

ONTP

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

This bill reimburses nursing homes for the losses of coinsurance and deductibles for skilled nursing beds under rules adopted by the Department of Health and Human Services as required in Public Law 2013, chapter 368.

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LD 1052 An Act To Feed Rural Citizens of the State

**Died Between
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HAMANN HASKELL	OTP ONTP	

This bill directs the Department of Health and Human Services to seek a waiver beginning with federal fiscal year 2016, which begins October 1, 2015, and for each federal fiscal year thereafter to allow individuals otherwise subject to a three-month limit on federal food supplement program benefits to continue to receive benefits if those individuals reside in counties, labor market areas or other areas that qualify for a waiver because of high unemployment or a lack of a sufficient number of jobs to provide employment for those individuals.

LD 1054 An Act To Provide Funding for Head Start Services

**Died Between
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCELWEE LANGLEY	OTP-AM ONTP OTP-AM	

This bill provides funding to the Head Start program within the Department of Health and Human Services to address the significant unmet need for Head Start services, allowing eligible parents to remain in or enter the workforce.

Committee Amendment "A" (H-403)

This amendment, which is the majority report of the committee, incorporates a fiscal note.

Committee Amendment "B" (H-404)

This amendment, which is a minority report of the committee, provides funding to the Head Start program within the Department of Health and Human Services, but instead of the General Fund appropriations proposed in the bill, this amendment provides \$575,000 per fiscal year to the Head Start program from the Fund for a Healthy Maine.

LD 1058 An Act Regarding Medical Marijuana Registered Testing Laboratories

ONTP

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

This bill establishes registered testing laboratories that perform testing on marijuana samples for the cannabinoid profile and for possible contaminants within the Maine Medical Use of Marijuana Act. It further establishes the standards for registered testing laboratories and provides that they must be located in the State.

The bill provides that the laboratories and their principal officers, board members, agents and employees are given the same immunity from prosecution, search, seizure and penalty currently granted to registered dispensaries. The bill requires the Department of Health and Human Services to establish an application form and fees for registered

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testing laboratories by December 15, 2015.

LD 1059 An Act Relating to Marijuana Testing Facilities

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARNSWORTH	OTP-AM ONTP	H-345

This bill allows for the operation of marijuana testing facilities. These facilities may possess marijuana regulated under the Maine Medical Use of Marijuana Act. Dispensaries and registered primary caregivers may own and operate marijuana testing facilities for research and development purposes. The bill provides that if a label for medical marijuana refers to potency or cannabinoid profile, the label must be verified by a marijuana testing facility.

Committee Amendment "A" (H-345)

This amendment:

1. Amends the definition of "cardholder" in the Maine Medical Use of Marijuana Act to include a marijuana testing facility;
2. Eliminates the educational requirement for the director of a marijuana testing facility;
3. Adds requirements for the housing, storing, transporting and labeling of marijuana within marijuana testing facilities;
4. Creates an immunity provision within the Maine Medical Use of Marijuana Act for marijuana testing facilities; and
5. Directs the Department of Health and Human Services to issue registry identification cards to certain individuals at marijuana testing facilities.

LD 1061 Resolve, To Create the Commission To Study a Stable Continuum of Care for Persons with Intellectual and Developmental Disabilities and Autism

Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCLELLAN LANGLEY	OTP-AM	H-259

This resolve establishes the Commission to Study a Stable Continuum of Care for Persons with Intellectual and Developmental Disabilities and Autism. The commission is required to examine the best way for different state systems involved in the lifelong care of persons with intellectual and developmental disabilities and autism in the Department of Health and Human Services, the Department of Education and the Department of Labor to provide a stable continuum of care without duplication of efforts and programs and to ensure seamless transitions between departments. It is required to also examine the status of the federal Intermediate Care Facilities for Individuals with Intellectual Disabilities. The commission is required to report its findings to the Second Regular Session of the 127th Legislature.

Committee Amendment "A" (H-259)

This amendment changes the composition of the Commission to Study a Stable Continuum of Care for Persons with Intellectual and Developmental Disabilities and Autism, and it adds an emergency preamble and emergency clause.

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**LD 1076 Resolve, Directing the Department of Health and Human Services To
Increase Public Awareness about and Access to Federal Resources
Related to Vaccine Injuries**

RESOLVE 35

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'CONNOR MASON	OTP-AM	H-305

This bill establishes the Vaccine Consumer Protection Program within the Department of Health and Human Services and describes the services provided under the new program.

Committee Amendment "A" (H-305)

This amendment replaces the bill with a resolve directing the Department of Health and Human Services to create a link on the department's publicly accessible website to existing federal resources related to vaccine injuries, including, but not limited to, information about the National Vaccine Injury Compensation Program of the United States Department of Health and Human Services, Health Resources and Services Administration and the Vaccine Adverse Event Reporting System cosponsored by the United States Centers for Disease Control and Prevention and the United States Food and Drug Administration, agencies of the United States Department of Health and Human Services.

Enacted Law Summary

Resolve 2015, chapter 35 directs the Department of Health and Human Services to create a link on the department's publicly accessible website to existing federal resources related to vaccine injuries, including, but not limited to, information about the National Vaccine Injury Compensation Program of the United States Department of Health and Human Services, Health Resources and Services Administration and the Vaccine Adverse Event Reporting System cosponsored by the United States Centers for Disease Control and Prevention and the United States Food and Drug Administration, agencies of the United States Department of Health and Human Services.

**LD 1077 An Act To Ensure Access to Public Health Nursing Care and Child and
Maternal Health Nursing Care in Washington County**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS TUELL	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to reallocate funds to support increasing public health nursing and child and maternal health nursing capacity in rural underserved areas in Washington County in order to address health disparities rather than continuing to offer the majority of services in more urban and populated counties.

**LD 1078 An Act To Preserve MaineCare Assisted Living by Providing a 4% Rate
Increase to Private Nonmedical Institutions and Adult Family Care
Homes**

**Died On
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS SANDERSON	OTP-AM	S-168

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This bill provides funds to give adult family care homes and Appendix C private nonmedical institutions a four percent cost-of-living rate increase in funding in each of the next two fiscal years. Annual cost-of-living adjustments are provided by rule for each fiscal year thereafter in accordance with the United States Department of Labor, Bureau of Labor Statistics Consumer Price Index medical care services index.

Committee Amendment "A" (S-168)

This amendment makes the following changes to the bill.

1. It provides that adult family care homes and Appendix C private nonmedical institutions receive a four percent rate increase in funding in each of the next two fiscal years, rather than a cost-of-living rate increase.
2. It strikes the requirement that an inflation adjustment be set for fiscal years beginning 2017-18.

A four percent increase in reimbursement to adult family care homes and PNMI assisted living facilities beginning on July 1, 2015 was included in Public Law 2015, chapter 267.

LD 1079 Resolve, To Support and Encourage the Development of an Adult Family Care Demonstration Project in Washington County

RESOLVE 31

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS TUELL	OTP-AM	S-166

This resolve increases by up to 40 the number of available residential care beds in Maine. This resolve also directs the Department of Health and Human Services to review the reimbursement levels at residential care facilities to identify if an increase in MaineCare funding is necessary to account for higher levels of care at these facilities and directs the department to develop a demonstration program in Washington County for suite-type settings that allow couples to remain living together. The department is also required to submit a report to the Joint Standing Committee on Health and Human Services no later than January 15, 2016.

Committee Amendment "A" (S-166)

This amendment removes the section increasing the number of residential care facility beds from the resolve. It retains the requirement for the Department of Health and Human Services to review reimbursement levels at residential care facilities but allows current reviews of continuum of care to be included. Like the resolve, it requires the department to develop a demonstration project in Washington County with suite-type settings but clarifies that the project does not apply only to couples. It authorizes the Joint Standing Committee on Health and Human Services to report out legislation related to the demonstration project and the review to the Second Regular Session of the 127th Legislature. The amendment also changes the title.

Enacted Law Summary

Resolve 2015, chapter 31 requires the Department of Health and Human Services to review reimbursement levels at residential care facilities and develop a demonstration project in Washington County with suite-type settings. It authorizes the Joint Standing Committee on Health and Human Services to report out legislation related to the demonstration project and the review to the Second Regular Session of the 127th Legislature.

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LD 1090 Resolve, To Establish a Pilot Project for Medicaid Reimbursement for Acupuncture Treatment of Substance Abuse Disorders Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANDERSON	OTP-AM ONTP	H-438

This resolve requires the Department of Health and Human Services and the department's Office of Substance Abuse and Mental Health Services to apply for a community-based waiver from the federal United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to develop a pilot project to treat alcohol abuse disorders, substance abuse disorders and co-occurring disorders using the National Acupuncture Detoxification Association auricular acupuncture protocol. The project may last no longer than two years and must be reimbursable as allowed under the United States Social Security Act and be cost-neutral or result in savings to the MaineCare program. The department and the office must report their findings to the joint standing committee of the Legislature having jurisdiction over health and human services matters at the end of the project.

Committee Amendment "A" (H-438)

This amendment is the majority report. The amendment requires the Department of Health and Human Services and the department's Office of Substance Abuse and Mental Health Services to apply by January 1, 2016 for authorization from the federal United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to develop a pilot project to treat alcohol abuse disorders, substance abuse disorders and co-occurring disorders using the National Acupuncture Detoxification Association auricular acupuncture protocol. The amendment requires the department to consult with the statewide association representing licensed acupuncturists in the establishment of treatment standards. The amendment requires that the treatment be provided by a person who is licensed to practice acupuncture in the State and whose license is in good standing.

LD 1097 An Act To Improve the Integrity of Maine's Welfare Programs CARRIED OVER

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

This bill restricts the use of benefits for recipients of temporary assistance for needy families under the electronic benefits transfer system by prohibiting use of the electronic benefits transfer system outside of the State, except for in New Hampshire, withdrawals of cash per month in an amount over 25 percent of a recipient's monthly benefits and expenditures on items such as tobacco products, liquor and lottery tickets and several other similar items. This bill also directs the Department of Health and Human Services to hire five additional fraud investigators.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 1108 An Act To Protect Children and the Public from Vapor from Electronic Smoking Devices PUBLIC 318

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCABE	OTP-AM OTP-AM	H-428

This bill includes in the definition of "smoking" an electronic cigarette giving off vapor for the purpose of restricting smoking in public places.

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Committee Amendment "A" (H-428)

This amendment, which is the majority report, changes the bill's title, replaces the defined term "electronic cigarette" with a new defined term, "electronic smoking device" and amends the definition of "smoking" to include use of an electronic smoking device.

Committee Amendment "B" (H-429)

This amendment, which is the minority report, changes the bill's title and replaces the bill. The amendment enacts a definition of "electronic nicotine delivery device" and restricts the use of an electronic nicotine delivery device in hospitals, schools and day cares.

Enacted Law Summary

Public Law 2015, chapter 318 defines a new term, "electronic smoking device," and amends the definition of "smoking" to include use of an electronic smoking device for the purpose of prohibiting the use of an electronic smoking device in public places.

LD 1115 An Act To Make the State's Standard for Lead Exposure in Children INDEF PP
Consistent with the Federal Standard

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK STUCKEY	OTP-AM ONTP	

This bill amends the definition of "lead poisoning," making the State's standard for lead exposure in children consistent with the federal standard.

Committee Amendment "A" (S-270)

This amendment, which is the majority report of the committee, grants the Department of Health and Human Services authority to impose penalties for violations of the Lead Poisoning Control Act and the rules adopted pursuant to that Act. The amendment also adds an appropriations and allocations section.

Public Law 2015, chapter 267 provides funding to hire eight limited-period Environmental Specialist III positions through June 10, 2017 to review inspections, issue orders to abate hazards, track to make sure abatements occur and work with families on interim controls to reduce hazards until the abatement is complete.

LD 1125 An Act To Expand Public Access to Epinephrine Autoinjectors PUBLIC 231

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PETERSON HASKELL	OTP-AM	H-250

This bill allows entities, organizations and places of employment at which allergens capable of causing anaphylaxis may be present, other than schools, to stock prescribed epinephrine autoinjectors and administer them to persons believed in good faith to be experiencing anaphylaxis and provides that those entities, organizations and places of employment may not be held liable for any injuries or related damages that may result. It requires training for employees or agents of such entities, organizations or places of employment. It also provides for the establishment of emergency public access stations to contain stocks of epinephrine autoinjectors, allows health care practitioners to stock them with epinephrine autoinjectors and to provide individuals accessing the stations with consultation services in real time by audio, video or other similar means of electronic communication and provides that persons

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involved with the stations and acting in good faith may not be held liable for any injuries or related damages that may result.

Committee Amendment "A" (H-250)

This amendment makes the following changes to the bill.

1. It eliminates the provisions of the bill relating to emergency public access stations for the storage of epinephrine autoinjectors.
2. It eliminates the provision of the bill that requires an authorized entity that possesses and makes available epinephrine autoinjectors to submit to the Department of Health and Human Services a report of each incident on the authorized entity's premises that involves the administration of an epinephrine autoinjector.
3. It revises the immunity provision of the bill to make it consistent with the actions that are authorized under the bill and to make it clear that the immunity does not apply if injuries or related damages are caused willfully, wantonly or recklessly or by gross negligence.

Enacted Law Summary

Public Law 2015, chapter 231 allows entities, organizations and places of employment at which allergens capable of causing anaphylaxis may be present, other than schools, to stock prescribed epinephrine autoinjectors and administer them to persons believed in good faith to be experiencing anaphylaxis and provides that those entities, organizations and places of employment may not be held liable for any injuries or related damages that may result. It requires training for employees or agents of such entities, organizations or places of employment.

LD 1129 Resolve, To Change the Requirements for Nursing Services in Home Health Care

RESOLVE 33

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY ESPLING	OTP-AM	S-158

The resolve directs the Department of Health and Human Services to increase the rates in Section 40 of the MaineCare Benefits Manual, Home Health Services by 30 percent.

Committee Amendment "A" (S-158)

The amendment strikes and replaces the resolve. It requires the Department of Health and Human Services to amend the rules governing the licensing and functioning of home health care services to allow nursing services to be provided by new graduates who have successfully completed a home health care orientation program approved by the department prior to commencing independent home health care nursing practice. Current rules require at least one year of professional nursing experience. The agency employing the nursing graduate would be required to provide the orientation.

Enacted Law Summary

Resolve 2015, chapter 33 requires the Department of Health and Human Services to amend the rules governing the licensing and functioning of home health care services to allow nursing services to be provided by new graduates who have successfully completed a home health care orientation program approved by the department prior to commencing independent home health care nursing practice. The agency employing the nursing graduate would be required to provide the orientation.

**LD 1134 An Act To Require the Department of Health and Human Services To
Distribute Information Regarding Down Syndrome to Providers of
Prenatal and Postnatal Care and to Genetic Counselors**

PUBLIC 269

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK LAJOIE	OTP ONTP	H-480 GATTINE

This bill requires that hospitals, physicians and other health professionals provide information about Down syndrome to expectant or new parents who have received a prenatal or postnatal diagnosis of Down syndrome. The bill directs the Department of Health and Human Services to distribute appropriate information to health care providers for distribution.

House Amendment "A" (H-445)

This amendment:

1. Requires that hospitals, physicians and health professionals offer, rather than provide as required by the bill, information to expectant or new parents; and
2. Specifies that the information must have been reviewed by medical experts who are established in the field and by a state-based medical organization.

This amendment was not adopted.

House Amendment "B" (H-480)

This amendment requires that hospitals, physicians and health professionals offer information to expectant or new parents, unlike the bill, which required the provision of that information.

Enacted Law Summary

Public Law 2015, chapter 269 requires that hospitals, physicians and other health professionals offer information about Down syndrome to expectant or new parents who have received a prenatal or postnatal diagnosis of Down syndrome. It directs the Department of Health and Human Services to distribute appropriate information to health care providers for distribution.

**LD 1144 An Act To Ensure the Integrity of the Temporary Assistance for Needy
Families Program**

**Died Between
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCABE	ONTP OTP-AM	

This bill prohibits the use of the electronic benefits transfer system at tobacco specialty stores. It requires the Department of Health and Human Services to develop an education program for recipients of benefits under the Temporary Assistance for Needy Families program that emphasizes that those benefits are to be used for supporting dependent children and are not to be used to pay for tobacco products, liquor products, gambling activities or lotteries. It establishes penalties for benefit recipients who knowingly make a purchase prohibited by statute. In addition, the Department of Health and Human Services must collect information on the use of Temporary Assistance for Needy Families program benefits for tobacco and liquor products, gambling activities and lotteries.

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The department is required to report its findings, including recommendations and suggested legislation, to the joint standing committee of the Legislature having jurisdiction over health and human services matters no later than March 15, 2017.

Committee Amendment "A" (H-320)

This amendment, which is the minority report of the committee, incorporates a fiscal note.

Senate Amendment "A" (S-312)

This amendment removes the penalties established in the bill. The amendment also removes the requirements for the Department of Health and Human Services to develop an education program for the recipients of Temporary Assistance for Needy Families program benefits and to collect information on the costs and impact of implementing and enforcing the prohibitions in the bill.

This amendment was not adopted.

**LD 1149 Resolve, Directing the Maine Center for Disease Control and Prevention CARRIED OVER
To Report on Progress toward Meeting Healthy Maine 2020 Goals
Pertaining to Reproductive Health**

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

This resolve directs the Department of Health and Human Services, Maine Center for Disease Control and Prevention to report by October 1, 2015 to the Joint Standing Committee on Health and Human Services on state-led efforts to achieve goals identified in its document "Healthy Maine 2020" pertaining to reproductive health. The report must include an explanation of failed or failing efforts to meet a goal and evidence-based strategies or recommendations on how state programs can meet the goal and a description of the State's efforts to improve the health and welfare of its citizens, including efforts to increase high school graduation rates. The joint standing committee is authorized to report out a bill based on the report to the Second Regular Session of the 127th Legislature.

This resolve was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 1162 An Act To Ensure Safe Drinking Water for Maine Families Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GATTINE HASKELL	OTP-AM ONTP	H-333

This bill improves testing for and treatment of contaminants in residential private drinking water wells that are otherwise exempt from state and federal safe drinking water laws. It requires the Department of Health and Human Services to develop a uniform testing recommendation for testing of residential private drinking water wells. It requires testing when residential private drinking water wells are constructed. The bill also establishes the Private Well Safe Drinking Water Fund to support educational outreach and to improve testing rates of residential private drinking water wells. The fund is funded by fees on the testing of residential private drinking water wells. The bill establishes a fund within the Maine State Housing Authority funded by fees on the installation of water treatment equipment for the purpose of providing persons of low income with affordable water treatment. It also requires the department to conduct educational outreach regarding the potential health effects of contaminants and the need for testing and treatment of residential private drinking water wells.

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Committee Amendment "A" (H-333)

This amendment is the majority report of the committee. It makes the following changes to the bill.

1. It makes the addresses on copies of residential private drinking water well test results that are forwarded from laboratories to the Department of Health and Human Services confidential.
2. It removes the requirement for water testing when residential private drinking water wells are constructed. Instead the Maine Water Well Commission is required to develop educational materials to be distributed when a private residential well is drilled or deepened to inform the owners of the importance of testing for arsenic and other contaminants.
3. It funds the Private Well Safe Drinking Water Fund from fees on the testing of residential private drinking water wells conducted by the Health and Environmental Testing Laboratory.
4. It removes the fund for providing low-income persons with affordable water treatment held within the Maine State Housing Authority and funded by fees on the installation of water treatment equipment.
5. It removes the requirement for property disclosure statements to include the results of water tests conducted in the last three years.
6. It adds an appropriations and allocations section.

LD 1170 Resolve, Regarding Legislative Review of Portions of Chapter 11: Rules Governing the Controlled Substances Prescription Monitoring Program, a Late-filed Major Substantive Rule of the Department of Health and Human Services

**RESOLVE 16
EMERGENCY**

Sponsor(s)

Committee Report

Amendments Adopted

OTP

This resolve provides for legislative review of portions of Chapter 11: Rules Governing the Controlled Substances Prescription Monitoring Program, 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 2015, chapter 16 provides for legislative review of portions of Chapter 11: Rules Governing the Controlled Substances Prescription Monitoring Program, a major substantive rule of the Department of Health and Human Services that was filed outside the legislative rule acceptance period. It changes the time period that dispensers must provide information to the Prescription Monitoring Program from seven days to the close of business on the next business day of the controlled substance being dispensed. It also clarifies that the required information includes the prescription being dispensed and delivered.

Resolve 2015, chapter 16 was finally passed as an emergency measure effective May 26, 2015.

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LD 1193 An Act To Encourage Good Nutrition and Healthy Choices in the Supplemental Nutrition Assistance Program

**Died In
Concurrence**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHNSON GATTINE	OTP-AM ONTP	

This bill creates the Healthy Local Foods Initiative Program to engage in efforts to seek out and support, sustain or assist eligible applicants in submitting proposals for federal grants or funding for pilot projects to improve the diets of low-income persons enrolled in a statewide food supplement program administered as part of the federal supplemental nutrition assistance program. The bill directs the Department of Health and Human Services to create a working group of various interested parties to make recommendations concerning best practices and criteria for evaluation of proposals for federal grants or funding to conduct pilot projects designed to provide incentives to participants of the federal supplemental nutrition assistance program to improve their diets, reduce obesity and support farmers and businesses in the State. The bill directs the department to provide the matching funds required of a chosen applicant in order to receive a federal grant to the extent funds are available in the Healthy Local Foods Incentive Fund. Contributions to the fund are derived from a portion of bonus payments received from the United States Department of Agriculture for the performance of the Department of Health and Human Services in administering the statewide food supplement program under the federal supplemental nutrition assistance program, from the State's portion of funds recouped from the collection of overpayment claims from program recipients and from other sources. Contributions to the fund may also be received from hospital organizations fulfilling United States Internal Revenue Service requirements to meet community health needs.

Committee Amendment "A" (S-230)

This amendment, which is the majority report of the committee, removes the funding sources for the bill's Healthy Local Foods Incentive Fund that come from bonus payments for the Department of Health and Human Services for the department's administration of the federal Supplemental Nutrition Assistance Program and from the collection of the program's overpayment claims.

LD 1209 An Act To Increase the Effectiveness of Peer Supports in the State

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GATTINE HASKELL		

This bill establishes a peer support services program in the office of substance abuse and mental health services within the Department of Health and Human Services. The bill requires each assertive community treatment team to include at least one full-time intentional peer support specialist certified by the department. "Intentional peer support specialist" is defined. The bill requires the department to appoint and convene the Intentional Peer Support Advisory Committee. The bill requires the department to adopt necessary rules and designates the rules as routine technical rules. The bill requires the costs of intentional peer support services and the advisory committee to be met through the transfer of funding from the Mental Health - Community account and the Mental Health - Community Medicaid account and through the discontinuance of two full-time positions within the office of substance abuse and mental health services.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

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LD 1236 An Act To Change the Type of Rulemaking Required Regarding Persons with Intellectual Disabilities or Autism Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAKEY SANDERSON	ONTP OTP	

This bill changes from major substantive to routine technical the type of rulemaking the Commissioner of Health and Human Services is required to do regarding the provision of support services for persons with intellectual disabilities or autism.

LD 1237 An Act Regarding the Filing of Death and Marriage Records PUBLIC 193

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAKEY SANDERSON	OTP-AM	S-205

This bill makes the following changes to the laws governing the filing of death and marriage records.

1. It authorizes the parties to a marriage, or the legal representatives of the parties to a marriage, that occurred more than one year previously to apply for a delayed certificate of marriage.
2. It establishes a procedure for registering an official record of death when a death is presumed to have occurred in the State but the body has not been located.

Committee Amendment "A" (S-205)

This amendment clarifies language of a provision of the bill allowing parties to a marriage that occurred more than one year previously to apply for a certificate of marriage.

Enacted Law Summary

Public Law 2015, chapter 193 makes the following changes to the laws governing the filing of death and marriage records.

1. It authorizes the parties to a marriage, or the legal representatives of the parties to a marriage, that occurred more than one year previously to apply for a certificate of marriage.
2. It establishes a procedure for registering an official record of death when a death is presumed to have occurred in the State but the body has not been located.

LD 1258 An Act To Amend the Maine Medical Use of Marijuana Act with Regard to Good Business Practices ONTP

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

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This bill amends the Maine Medical Use of Marijuana Act in the following ways.

1. It clarifies that a primary caregiver may cultivate up to six marijuana plants for each of up to five qualifying patients.
2. It allows a primary caregiver to employ or contract with more than one person to assist with the duties required of that primary caregiver. The Department of Health and Human Services is required to adopt rules regarding the licensing of these assistants.
3. It allows the Department of Health and Human Services to make onsite assessments of registered primary caregivers who cultivate marijuana for three or more registered patients at a time to ensure compliance.
4. It allows a registered primary caregiver to transfer excess prepared marijuana to a qualifying patient for reasonable compensation.
5. It provides that a primary caregiver or registered dispensary that receives compensation from a qualifying patient for the costs associated with cultivating marijuana for that qualifying patient or assisting that qualifying patient is required to register as a seller with the State Tax Assessor and collect and remit sales tax. Under the current law, marijuana is specifically excluded from the sales tax exemption for medicines.

LD 1267 An Act To Assist Working Families with Young Children

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GATTINE MILLETT		

This bill provides funding to the Department of Health and Human Services to leverage all available federal child care development funds.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 1268 An Act To Reform Welfare by Establishing Bridges to Sustainable Employment

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GATTINE HASKELL		

This bill makes the following changes to the laws governing public assistance, which are intended to provide bridges to employment:

1. Child care assistance begins on the date of application if the applicant is eligible;
2. The Department of Health and Human Services is directed to establish rules to provide uninterrupted access to subsidized child care for eligible persons with irregular hours of employment;
3. It provides Temporary Assistance for Needy Families, or TANF, benefits and alternative aid benefits to two parent families based on the same eligibility requirements as single-parent families have;
4. It changes the income amounts for TANF recipients who have employment earnings that are disregarded in

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calculating TANF benefits;

5. It directs the Department of Health and Human Services to set up specialized navigator services related to employment in the Additional Support for People in Retraining and Employment - Temporary Assistance for Needy Families program so that families receiving TANF benefits understand how earned income affects benefit levels and work supports;

6. It requires the Department of Health and Human Services, Department of Labor, Maine employers, the Maine Community College System and the University of Maine System to establish structured pathways leading to education, training and employment opportunities for persons eligible for TANF; and

7. It requires the Commissioner of Health and Human Services to convene a working group to review and make recommendations to establish a program to provide access to reliable transportation for families that qualify for assistance under TANF. The commissioner must report the findings of the working group to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Health and Human Services by January 1, 2016. The Department of Health and Human Services must amend its TANF rules to incorporate the findings of the working group.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 1270 An Act Regarding Patient-directed Care at the End of Life

Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ JORGENSEN	ONTP OTP	

This bill enacts a process for patient-directed care at the end of life for Maine residents who are adults who are terminally ill and who have been determined to have a limited life expectancy.

Specifically, the bill:

1. Provides that such a patient has a right to information and includes requirements for patient and physician action and documentation in the patient's medical records of the steps taken;
2. Authorizes a physician to prescribe a medication that the patient may self-administer for the purpose of hastening the patient's death;
3. Provides protections for the physician, the patient's health care facility and health care providers;
4. Protects the patient's life insurance and the health care providers' medical professional liability insurance;
5. Protects the patient's right to palliative care;
6. Requires rulemaking by the Department of Health and Human Services to provide for safe disposal of medications that are prescribed for end-of-life care and that are not used by the patient;
7. States that nothing in the provisions of the bill may be construed to authorize a physician or other person to end a patient's life by lethal injection, mercy killing or active euthanasia; and
8. States that the provisions of the bill may not be construed to conflict with Section 1553 of the federal Patient

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Protection and Affordable Care Act, as amended by the federal Health Care and Education Reconciliation Act of 2010.

LD 1294 An Act To Improve the Health of Maine Residents through Education and Health Care **INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FREY	OTP-AM ONTP	

This bill allocates funds on a one-time basis to the Department of Health and Human Services, Fund for a Healthy Maine to improve the health of Maine residents through education and health care for the fiscal year 2015-16.

Committee Amendment "A" (H-195)

This amendment, which is the majority report of the committee, incorporates a fiscal note.

LD 1295 An Act To Streamline Regulation of Farms, Food Producers and Food Establishments **Leave to Withdraw Pursuant to Joint Rule**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HICKMAN LANGLEY		

This bill moves the licensing and regulatory responsibility for the sale of prepared food from the Department of Health and Human Services to the Department of Agriculture, Conservation and Forestry. The bill also amends cross-references and other provisions of law to reflect this change.

LD 1307 An Act To Fund the Maine Diversion Alert Program **PUBLIC 304 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WILLETTE FOWLE	OTP-AM ONTP	S-106

This bill directs the Department of Health and Human Services to determine the amount of funding required to maintain the Maine Diversion Alert Program statewide, to seek ongoing funding sources for the program and to report its findings and recommendations to the Joint Standing Committee on Health and Human Services no later than January 1, 2016. It also provides one-time General Fund appropriations of \$95,000 in fiscal year 2014-15, fiscal year 2015-16 and fiscal year 2016-17 for the Department of the Attorney General to maintain funding for the program.

Committee Amendment "A" (S-106)

This amendment, which is the majority report of the committee, strikes out the requirement for the Department of Health and Human Services to seek ongoing funding for the Maine Diversion Alert Program. It also strikes the appropriations for the 2014-15 fiscal year and the 2016-17 fiscal year.

Enacted Law Summary

Public Law 2015, chapter 304 provides a one-time General Fund appropriation of \$95,000 in fiscal year 2015-16 for

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the Department of the Attorney General to maintain funding for the Maine Diversion Alert Program.

Public Law 2015, chapter 304 was enacted as an emergency measure effective July 1, 2015.

LD 1316 An Act Regarding the Employment of Certified Nursing Assistants and ONTP
Direct Care Workers

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FOWLE GERZOFKY	ONTP	

This bill implements the recommendations of the working group created under Resolve 2009, chapter 68, which reviewed employment bans based on criminal convictions, the rational basis for the employment ban and the length of the employment ban prohibiting an individual from working as a certified nursing assistant or unlicensed assistive person. It prohibits the employment of a certified nursing assistant who, while working as a certified nursing assistant, was the subject of a complaint investigation by the division of licensing and regulatory services within the Department of Health and Human Services, which is the designated state survey agency pursuant to federal law, that resulted in a substantiated complaint that was placed as a notation on the Maine Registry of Certified Nursing Assistants and Direct Care Workers or received a disqualifying criminal conviction that was placed as a notation on the registry or has any disqualifying criminal conviction. It prohibits the employment of an unlicensed assistive person who, while working as an unlicensed assistive person, was the subject of a complaint investigation by the Department of Health and Human Services that resulted in a substantiated finding that was placed as a notation on the registry. It requires the department to categorize criminal convictions as either disqualifying or nondisqualifying convictions and to set 10-year bans and 30-year bans on employment for disqualifying convictions. It sets a lifetime ban on employment for substantiated complaints involving abuse, neglect or misappropriation of property. It provides for petitions for the removal of employment bans. It grandfatheres in certain currently employed certified nursing assistants and unlicensed assistive persons, but provides that if they change their employers or employment at a specific facility or program, they become subject to the law. It provides for the department to establish an advisory board to recommend changes to the list of named crimes in the registry. It requires the department to obtain criminal history record information for certified nursing assistants every two years and employers to obtain criminal history record information prior to hiring an individual.

See LD 1426.

LD 1324 An Act To Create Transparency with Regard to Large Employers in the Died Between
State with Workforce Members Who Receive Public Benefits Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCABE	OTP-AM ONTP	

This bill requires the Department of Health and Human Services to submit a quarterly report to the Governor and the Legislature that includes the information for each employer in the State that has 50 or more employees who are either MaineCare beneficiaries or who are the spouses or custodial parents of MaineCare beneficiaries. For each such employer, the report must include information on the numbers of employees who are MaineCare beneficiaries, spouses of MaineCare beneficiaries, custodial parents of MaineCare beneficiaries, full-time employees and part-time employees. The report must also include information on whether the employer offers health insurance benefits to full-time employees, part-time employees, employees' spouses or employees' dependents, and the cost to the State of providing MaineCare benefits for the employer's employees and enrolled dependents listed as total cost and per capita cost.

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Committee Amendment "A" (H-282)

This amendment, which is the majority report of the committee, adds an appropriations and allocations section.

LD 1337 An Act To Fund the Family Caregiver Support Program

PUBLIC 348

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MALABY	OTP-AM	H-173 S-319 HAMPER

This bill provides additional General Fund appropriations of \$182,000 in fiscal year 2015-16 and \$243,000 in fiscal year 2016-17 for the Department of Health and Human Services to fully fund the family caregiver support program within the department's office of aging and disability services. This appropriation is intended to eliminate the waiting list for the family caregiver support program in fiscal year 2015-16 and meet the growing demand for the program in fiscal year 2016-17.

Committee Amendment "A" (H-173)

This amendment provides the correct account number for the appropriation to the family caregiver support program.

Senate Amendment "A" To Committee Amendment "A" (S-319)

This amendment reduces funding provided in Committee Amendment "A" for the family caregiver support program in the Department of Health and Human Services' office of aging and disability services.

Enacted Law Summary

Public Law 2015, chapter 348 provides additional General Fund appropriations of \$120,500 in fiscal year 2015-16 and \$126,772 in fiscal year 2016-17 for the Department of Health and Human Services to fund the family caregiver support program within the department's office of aging and disability services.

LD 1348 An Act To Protect Older Adults from Financial Exploitation

**PUBLIC 332
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GATTINE HASKELL	OTP-AM	H-196 S-318 HAMPER

This bill provides ongoing funding to the Office of Aging and Disability Services program within the Department of Health and Human Services for the operation of personal financial management assistance programs for senior citizens.

Committee Amendment "A" (H-196)

This amendment incorporates a fiscal note.

Senate Amendment "A" (S-318)

This amendment reduces funding to the Department of Health and Human Services to support personal financial management assistance programs for senior citizens.

Enacted Law Summary

Public Law 2015, chapter 332 provides ongoing funding of \$75,000 in each fiscal year to the Office of Aging and

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Disability Services program within the Department of Health and Human Services for the operation of personal financial management assistance programs for senior citizens.

Public Law 2015, chapter 332 was enacted as an emergency measure effective July 12, 2015.

**LD 1349 An Act To Establish the Office of the Inspector General in the
Department of Health and Human Services**

**Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DION LIBBY	ONTP OTP-AM	

This bill creates the Office of the Inspector General within the Department of Health and Human Services to be operated and funded independently of the department. The purpose of the Office of the Inspector General is to oversee the functions of the Department of Health and Human Services with four main duties:

1. Investigate instances of fraud, attempted fraud and commingling or misapplication of department funds;
2. Conduct quality assurance audits and program reviews of department programs, agencies and facilities;
3. Investigate instances of abuse, financial exploitation or death of mentally ill, autistic or intellectually disabled recipients of department assistance or services; and
4. Establish and maintain a process by which an employee, recipient of department assistance or services or a member of the public may report or complain about fraud, attempted fraud, commingling or misapplication of department funds or abuse, neglect, financial exploitation or death of a mentally ill, autistic or intellectually disabled recipient of department assistance or services.

This bill requires the Inspector General to perform its duties through conducting investigations, audits and site visits and issuing findings, reports and recommendations that are reviewed by the Commissioner of Health and Human Services. The bill moves the existing Human Services Fraud Investigation Unit from the jurisdiction of the Department of Health and Human Services to the Office of the Inspector General and directs the Inspector General to refer matters to the Attorney General or a law enforcement agency or enlist the assistance of the State Auditor when appropriate. This bill also requires the Inspector General to submit an annual report to the Governor, the Commissioner of Health and Human Services and the joint standing committees of the Legislature having jurisdiction over health and human services matters and financial affairs summarizing its activities for the prior calendar year. This bill provides for oversight of the Inspector General by the Office of Program Evaluation and Government Accountability on an as-needed basis.

Committee Amendment "A" (H-283)

This amendment, which is the minority report of the committee, incorporates a fiscal note.

**LD 1350 Resolve, To Increase the Reimbursement Rate for Direct-care Workers
Serving Adults with Long-term Care Needs**

RESOLVE 50

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EVES BURNS	OTP-AM	H-371 S-317 HAMPER

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This resolve directs the Department of Health and Human Services to increase reimbursement to providers of in-home and community support direct-care services to \$25 per hour of service. Of the increase in the rate to providers, at least 85 percent must be used for wages and employee benefits including health care, mileage reimbursement, training costs and other benefits.

Committee Amendment "A" (H-371)

This amendment replaces the resolve. It requires a 66 percent increase in the reimbursement rate for certain services, which is roughly equivalent to the increased reimbursement rate of \$25 in the resolve, and specifies the services for which the increased reimbursement would apply. The amendment adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-317)

This amendment removes the fixed percentage by which the Department of Health and Human Services must raise the hourly reimbursement for home-based and community-based services. It also restricts the raise to Attendant Care Services provided under Chapter 101: MaineCare Benefits Manual, Chapter III, Section 12, Consumer Directed Attendant Services.

Enacted Law Summary

Resolve 2015, chapter 50 requires the Department of Health and Human Services to raise the hourly reimbursement for services provided for Attendant Care Services under Chapter 101: MaineCare Benefits Manual, Chapter III, Section 12, Consumer Directed Attendant Services.

Public Law 2015, chapter 267 increased reimbursement for personal support services provided under the following programs: Chapter 101 of the MaineCare Benefits Manual, Chapter III, Section 19, Home and Community Benefits for the Elderly and for Adults with Disabilities; Chapter 101 of the MaineCare Benefits Manual, Chapter III, Section 96, Private Duty Nursing and Personal Care Services; and Chapter 10-149, Office of Elder Services Manual, Chapter 5, Section 63, In-Home and Community Support Services for Elderly and Other Adults.

**LD 1352 An Act To Facilitate the Delivery of Health Care Services through
Telemedicine and Telehealth**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRATWICK FOLEY	ONTP	

This bill:

1. Requires a hospital that is part of a health care system that includes at least one other hospital to include in its strategic plan as an integral part of its mission the provision of telemedicine and telehealth;
2. Requires that services under MaineCare that are provided through telemedicine or telehealth be reimbursed at the same rates as those services that are not provided through telemedicine or telehealth;
3. Requires that a telemedicine facility fee must be shared between the site at which the patient is physically located and the site at which the health care provider providing service is located;
4. Expands the duties of the ConnectME Authority to include facilitation of the availability of communications technology infrastructure necessary to support the delivery of health care services through telemedicine and telehealth;
5. Removes restrictions on the ability of the ConnectME Authority to undertake a project or make an investment

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Public Law 2015, chapter 278 requires licensed child care facilities, certified family child care providers and licensed nursery schools to report incidents that result or could result in serious harm to the physical or mental health, safety or well-being of a child being served by these entities. Incidents must be reported to the Department of Health and Human Services, Division of Licensing and Regulatory Services. Written notification is required by the next business day after the incident occurred.

LD 1368 An Act To Require the Documentation of the Use of Seclusion and Restraint at Mental Health Institutions in the State

PUBLIC 266

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SIROCKI	OTP-AM	H-372 S-264 BRAKEY

This bill provides for the notice, reporting and documentation of the use of restraint or seclusion of a client of a public or private institution that provides services that fall under the jurisdiction of the Department of Health and Human Services. This bill requires the staff responsible for a client subject to restraint or seclusion to attend a debriefing after an incident of restraint or seclusion and to conduct a meeting after three incidents involving a client in a one-year period to determine how to reduce the use of restraint or seclusion with that client. This bill requires the chief administrative officer of each institution under the jurisdiction of the Department of Health and Human Services annually to report the aggregate number of incidents of restraint and seclusion for that institution to the Commissioner of Health and Human Services and for the commissioner to report the aggregate number of incidents of restraint and seclusion for all those institutions to the joint standing committee of the Legislature having jurisdiction over health and human services matters and authorizes the joint standing committee to report out legislation based on the report. This bill provides for a complaint process for a client or parent or guardian of a client subject to restraint or seclusion at the institution level and at the department level if the complainant is dissatisfied with the institution's response.

Committee Amendment "A" (H-372)

This amendment replaces the bill. It requires public and private psychiatric institutions licensed under the Maine Revised Statutes, Title 22, chapters 404 and 405 to submit quarterly and annual reports to the Commissioner of Health and Human Services that include data regarding the hours and number of uses of restraint and seclusion as well as the maximum and mean duration of the uses of restraint and seclusion as those terms are defined in federal regulations. The commissioner is required to submit a report by January 1st of each year to the joint standing committee of the Legislature having jurisdiction over health and human services matters; the report must contain the data collected by the public and private psychiatric institutions for the previous fiscal year. The committee may report out legislation regarding the report. The first annual report, due January 1, 2016, may be partial and incomplete. By May 1, 2016, each public and private psychiatric institution must develop a policy for debriefing a client after the use of restraint or seclusion. The policy may not prevent a parent, guardian or designated representative from attending the debriefing.

Senate Amendment "A" To Committee Amendment "A" (S-264)

This amendment adds language to require that quarterly reports from psychiatric institutions be organized by unit, consistent with the requirements for annual reports. This language was inadvertently left out of Committee Amendment "A."

Enacted Law Summary

Public Law 2015, chapter 266 requires public and private psychiatric institutions licensed under the Maine Revised Statutes, Title 22, chapters 404 and 405 to submit quarterly and annual reports to the Commissioner of Health and Human Services that include data regarding the hours and number of uses of restraint and seclusion as well as the maximum and mean duration of the uses of restraint and seclusion as those terms are defined in federal regulations. The commissioner is required to submit a report by January 1st of each year to the joint standing committee of the

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Legislature having jurisdiction over health and human services matters; the report must contain the data collected by the public and private psychiatric institutions for the previous fiscal year. The committee may report out legislation regarding the report. The first annual report, due January 1, 2016, may be partial and incomplete. By May 1, 2016, each public and private psychiatric institution must develop a policy for debriefing a client after the use of restraint or seclusion. The policy may not prevent a parent, guardian or designated representative from attending the debriefing.

LD 1375 An Act To Increase Accountability in Maine's Welfare Programs

**Died Between
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THIBODEAU FREDETTE	ONTP OTP-AM	

This bill makes the following changes to the laws governing the Temporary Assistance for Needy Families, or TANF, program.

1. It creates a work search requirement for job-ready applicants to the TANF program.
2. It prohibits a recipient of benefits under the TANF program from using an electronic benefits transfer system card to access those benefits outside of Maine.
3. It prohibits a recipient of benefits under the TANF program from withdrawing in a monthly benefit period cash in an amount over 15 percent of the monthly TANF benefits received in the recipient's electronic benefits transfer system account.
4. It prohibits benefits provided under the TANF program from being expended on tobacco, imitation liquor, liquor, gambling, lotteries, tattoos and bail.
5. It prohibits the use of the electronic benefits transfer system at tobacco specialty stores.
6. It removes all the good cause exceptions that prevent a person from being sanctioned under the Additional Support for People in Retraining and Employment - Temporary Assistance for Needy Families, or ASPIRE-TANF, program or the TANF program for failure to participate in the ASPIRE-TANF program, with the exception of domestic violence.
7. It removes the 24-month limit on education, training and treatment for participants in the ASPIRE-TANF program.
8. It imposes a six-month termination of TANF benefits upon the imposition of a third sanction and removes the prenotification requirement prior to imposing a sanction.
9. It amends the time period in which applicants may receive alternative aid and eliminates alternative aid to applicants who are not eligible for TANF benefits due to the 60-month time limit on benefits.
10. It amends the Parents as Scholars Program.

Committee Amendment "A" (S-237)

This amendment, which is the minority report of the committee, removes from the bill the changes to the Parents as Scholars Program. The amendment also adds an appropriations and allocations section.

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**LD 1385 An Act To Enable a Foster Child To Remain in a Daycare Facility
 Selected by a Foster Parent**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HAMANN HASKELL	ONTP	

This bill requires the Department of Health and Human Services to pay 100 percent of the child care expenses incurred by a foster parent for child care provided at a licensed child care provider selected by the foster parent, subject to certain determinations of the department. The bill is in response to a proposal by the department to cap daycare payments.

LD 1392 An Act To Amend the Maine Medical Use of Marijuana Act

**Accepted Minority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANDERSON	OTP-AM ONTP	

This bill makes the following changes to the Maine Medical Use of Marijuana Act. The bill provides that:

1. The Department of Health and Human Services is permitted to obtain intelligence and investigative record information if it is used in the operation and oversight of the Act;
2. The term "person" means an individual, corporation, facility, institution or public or private agency;
3. The term "primary caregiver" means an individual, employee of that individual or an employee of a hospice provider licensed under the Maine Revised Statutes, Title 22, chapter 1681 or a nursing facility licensed under chapter 405 that provides care for a qualifying patient. A corporation, facility, institution or public or private agency may not be a primary caregiver;
4. The definition of "registered patient" is repealed and all references to the concept of registering a patient have been removed from the Act;
5. The definition of "registry identification card" is amended to include a medical provider-issued medical certification card, department-issued caregiver certification card and department-issued dispensary certification card;
6. A business entity that is a hospice or nursing facility is not allowed to be a primary caregiver, but staff of such an entity may be designated as a primary caregiver if the entity elects to honor a patient's request for this service;
7. A primary caregiver may only dispense 2.5 ounces of medical marijuana to each qualifying patient in a 15-day period;
8. A municipal official who is furthering the business of a municipality may enter a cultivation facility;
9. Exceptions to the requirement that a primary caregiver designated to cultivate marijuana for a qualifying patient register with the department are removed;

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10. A visiting qualifying patient must be in this State not less than 24 consecutive hours;
11. A visiting qualifying patient must designate a primary caregiver in this State or registered dispensary in this State. A visiting qualifying patient receives protections under this Act only while in this State. A visiting qualifying patient is included in the maximum of five qualifying patients a primary caregiver may assist;
12. The department may not establish a sliding scale of application and renewal fees based on a registered patient's family income and status as a veteran of the Armed Forces of the United States. The language establishing these provisions is removed;
13. Language regarding registered patients has been removed or changed to reflect the medical provider certification process;
14. Failure of an applicant to comply with the Act or rules adopted pursuant to the Act or a determination by the Department of Health and Human Services that an applicant has acted in bad faith with respect to the laws and rules governing medical use of marijuana is grounds for denial of an application or renewal of a registry identification card;
15. The name of a complainant who reports a violation of the Act is confidential;
16. Information to be included in the annual report to the Legislature has been changed to reflect changes in the medical provider certification process and new caregiver certification card terminology;
17. Fees are nonrefundable except that an unsuccessful applicant for a dispensary certificate of registration must be refunded all but \$1,000 of the application fee;
18. When a registry identification card is denied or revoked on one occasion the individual may not reapply for one year; when a registry identification card is denied or revoked on two occasions the individual may not reapply for two years; and when a registry identification card is denied or revoked on three occasions the individual may not receive another registry identification card;
19. The effective date for the revocation of a caregiver certification card is 10 days after the notice date or 10 days after the right to appeal is exhausted, whichever is later. The caregiver must notify the caregiver's qualifying patients and dispose of the caregiver's medical marijuana;
20. A primary caregiver and a registered dispensary are subject to fines for violations of the provisions of the Act or for failing to register as a primary caregiver or dispensary;
21. Fines prescribed for violations of the Act are mandatory;
22. The Office of the Attorney General may seek an injunction to require a registered primary caregiver, a registered dispensary, a person who fails to register as a primary caregiver and who engages in conduct that is only authorized for a registered primary caregiver or a person or entity that fails to register as a dispensary and that engages in conduct that is only authorized for a registered dispensary to comply with the Act. The District Court may order the registered primary caregiver, the registered dispensary or the person or entity to pay the costs of the investigation and the costs of suit, including attorney's fees;
23. The Office of the Attorney General may seek court action against a registered primary caregiver, a registered dispensary or a person or entity for violation of an injunction, including but not limited to imposition of a fine; and
24. The department's burden of proof for a violation of the Act is a preponderance of the evidence.

Committee Amendment "A" (H-454)

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This amendment, which is the majority report:

1. Reallocates the provisions of the bill that govern the dissemination of intelligence and investigative record information from the Maine Revised Statutes, Title 16, section 806 to Title 16, section 805;
2. Removes changes to the provision that governs from whom a qualifying patient may accept excess prepared marijuana;
3. Provides that primary caregivers and registered dispensaries may request a waiver from the Department of Health and Human Services to obtain permission to provide more than 2.5 ounces of prepared marijuana during a 15-day period to accommodate a qualifying patient's medical needs and directs the department to adopt rules governing the waiver process;
4. Changes the condition for the right of access to a cultivation facility by a municipal official from "to further the business of the municipality" to "to enforce municipal code";
5. Includes an exception to the registration requirement for a primary caregiver designated to cultivate marijuana for a qualifying patient who cultivates for up to two qualifying patients if the qualifying patients are members of the family of that primary caregiver and residents of this State;
6. Includes employees of a registered primary caregiver in the list of individuals required to obtain registry identification cards;
7. Changes the standard for denial of an application from a requirement that the applicant acted in bad faith with respect to the laws and rules governing the medical use of marijuana to a requirement that the applicant violated these laws and rules;
8. Eliminates the exception for expiration of registry identification cards;
9. Repeals the requirement that the department track the number of qualifying patients who designate a dispensary to cultivate marijuana for them and report this number to the dispensary;
10. Provides that a person who was a primary caregiver until that person's caregiver registration card for qualifying patients was revoked may continue to cultivate marijuana for that person's personal use if that person is a qualifying patient and not otherwise prohibited under the law; and
11. Makes the imposition of fines discretionary; amends the penalty provisions for registered primary caregivers and dispensaries so that each day of a violation does not constitute a separate offense and so that a Class D crime may not be imposed for repeat violations; eliminates the provision establishing the burden of proof for alleged violations of the Maine Medical Use of Marijuana Act; and directs the Department of Health and Human Services to adopt routine technical rules to carry out the objectives of the compliance provisions.

House Amendment "A" (H-465)

This amendment amends the penalty for failure to register as a primary caregiver for a second and subsequent violation from a Class D crime to a Class E crime. This amendment was not adopted.

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LD 1402 An Act To Reward Work Performed by Welfare Recipients

**Died Between
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FREDETTE	OTP-AM	
THIBODEAU	OTP-AM	

This bill revises the earnings from employment the Department of Health and Human Services disregards when determining benefit levels for recipients under the Temporary Assistance for Needy Families program in order to provide recipients who are working with a greater earnings disregard depending on the amount of hours they work per week and whether or not they are meeting federal work participation requirements. The bill also increases the number of months eligible individuals may receive transitional transportation benefits from 12 months to 18 months. The bill also authorizes the Department of Health and Human Services, beginning in fiscal year 2016-17, to use \$500,000 from the Temporary Assistance for Needy Families block grant to promote financial literacy and healthy saving habits of families with income less than 200 percent of the federal poverty guidelines by placing funds in family development accounts.

Committee Amendment "A" (H-420)

This amendment, which is the majority report of the committee, modifies the section of the bill relating to determination of benefit levels and eligibility for the Temporary Assistance for Needy Families program, or TANF. It provides that a gross income test may only be applied to applicants and not recipients of assistance. It also directs the Department of Health and Human Services, in determining benefit levels, to disregard the following amounts of earnings:

1. For a recipient employed 40 or more hours per week and who meets work participation requirements as defined in federal TANF rules, 100 percent of the gross earned income for the first full month of employment and the next consecutive month of employment, 75 percent of the gross earned income for the next six consecutive months of employment and \$108 and 50 percent of the remaining gross earned income for each additional consecutive month of employment thereafter;
2. For a recipient employed less than 40 hours per week and who meets work participation requirements as defined in federal TANF rules, 100 percent of the gross earned income for the first full month of employment, 75 percent of the gross earned income for the next six consecutive months of employment and \$108 and 50 percent of the remaining gross earned income for each additional consecutive month of employment thereafter;
3. For all other recipients with earnings from employment, \$108 and 50 percent of the remaining earnings; and
4. All actual child care costs necessary for work, except that the department may limit the amount disregarded for actual child care costs to \$175 per month per child or \$200 per month per child under two years of age or with special needs.

This amendment also provides that if an applicant for child care programs is determined eligible, child care assistance must be provided retroactively to the date of application. The amendment adds an appropriations and allocations section.

Committee Amendment "B" (H-421)

This amendment, which is the minority report of the committee, provides that if an applicant for child care programs is determined eligible, child care assistance must be provided retroactively to the date of application. The amendment adds an appropriations and allocations section.

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LD 1407 An Act To Require Screening and Testing for Illegal Substances of Beneficiaries under the Temporary Assistance for Needy Families Program

Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANDERSON MCCORMICK	OTP-AM ONTP OTP-AM	

This bill requires an adult applicant for or an adult recipient of benefits under the Temporary Assistance for Needy Families, or TANF, program to be screened and possibly physically tested for the unlawful use of drugs. The outcome of testing may result in that person's being denied or losing TANF benefits if subsequent substance use disorder treatment is not successfully completed. The bill also repeals provisions that prohibit the State's denying food assistance and TANF assistance to a person who has been convicted of a drug-related felony.

Committee Amendment "A" (H-460)

This amendment, which is Report A of the committee, removes the sections of the bill that repeal provisions that prohibit the State's denying food assistance and Temporary Assistance for Needy Families, TANF, benefits to a person who has been convicted of a drug-related felony. It specifies that a person receiving TANF benefits who has been convicted of a drug-related felony and is within 20 years of that person's date of conviction is not able to reapply for cash assistance if the person fails a drug test, declines to enter a treatment plan or fails to meet the requirements of the treatment plan. It requires the Department of Health and Human Services to apply the same process to a person receiving food benefits who was convicted of a drug-related felony and is within 20 years of that person's date of conviction.

Committee Amendment "B" (H-461)

This amendment, which is a minority report of the committee, makes the following changes to the bill.

1. It removes the sections of the bill that repeal provisions that prohibit the State's denying food assistance and Temporary Assistance for Needy Families, or TANF, benefits to a person who has been convicted of a drug-related felony. It specifies that a person receiving TANF benefits who has been convicted of a drug-related felony and is within 20 years of that person's date of conviction is not able to reapply for cash assistance if the person fails a drug test and declines to enter a treatment plan or fails to meet the requirements of the treatment plan. It requires the Department of Health and Human Services to apply the same process to a person receiving food benefits who was convicted of a drug-related felony within 20 years of that person's date of conviction.

2. It requires the Legislative Council to conduct screening and testing of Legislators for illegal substances. If a Legislator is required to submit to drug testing and refuses, or if the Legislator tests positive for the unlawful use of a drug and refuses to enter into a substance use disorder treatment plan or enters into a substance use disorder treatment plan and fails to meet a requirement of the plan, the Legislator is ineligible for annual legislative salary payments and must reimburse the State for any salary payments made to the Legislator since the convening of the Legislature.

3. It requires the Governor's Office of Policy and Management to conduct yearly screening and testing of certain appointed state employees for illegal substances. If an appointed state employee is required to submit to drug testing and refuses, or if the employee tests positive for the unlawful use of a drug and refuses to enter into a substance use disorder treatment plan or enters into a substance use disorder treatment plan and fails to meet a requirement of the plan, the office is required to make a formal recommendation to the Governor that the employee be terminated or otherwise reprimanded.

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7. It establishes statutory background check requirements and employment restrictions based on disqualifying offenses, including criminal convictions.
8. It replaces current ambiguous statutory language that bases employment bans on the length of the sentence that may be imposed with a requirement that the department adopt by rule a table of named crimes that form the rational basis for employment bans based on convictions.
9. It requires the department to adopt rules that list nondisqualifying criminal convictions that do not ban employment leaving hiring decisions to employer discretion.
10. It provides that disqualifying criminal convictions result in 10-year or 30-year employment bans and that the length of an employment ban may be shortened by filing a petition with the department to lift an employment ban prior to its expiration.
11. It consolidates complaint investigation requirements.

Committee Amendment "A" (H-342)

This amendment clarifies the definition of "direct care worker" in the bill in provisions relating to registration of personal care agencies and placement agencies as well as the Maine Registry of Certified Nursing Assistants and Direct Care Workers. It removes from the bill the section repealed relating to unlicensed assistive personnel. It allows for a training program to pay for or secure a background check.

Enacted Law Summary

Public Law 2015, chapter 196 amends the Maine Registry of Certified Nursing Assistants and Direct Care Workers in the following ways.

1. It clarifies the circumstances under which a person employed as a direct care worker is listed on the registry.
2. It amends the requirements for listing certified nursing assistants and direct care workers.
3. It requires employers to verify that an individual listed on the registry is eligible for employment as a certified nursing assistant or direct care worker.
4. It consolidates information and aligns language used across programs based on federal and state laws related to background checks, disqualifying offenses, prohibited employment, criminal convictions and substantiated findings related to complaints of abuse, neglect or misappropriation of property.
5. It describes the process of identifying the disqualifying offenses that adversely affect an individual's eligibility for employment as a certified nursing assistant or direct care worker.
6. It establishes the department's authority to adopt eligibility for listing on the registry and other requirements by rule.
7. It establishes statutory background check requirements and employment restrictions based on disqualifying offenses, including criminal convictions.
8. It replaces current ambiguous statutory language that bases employment bans on the length of the sentence that may be imposed with a requirement that the department adopt by rule a table of named crimes that form the rational basis for employment bans based on convictions.
9. It requires the department to adopt rules that list nondisqualifying criminal convictions that do not ban

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employment leaving hiring decisions to employer discretion.

10. It provides that disqualifying criminal convictions result in 10-year or 30-year employment bans and that the length of an employment ban may be shortened by filing a petition with the department to lift an employment ban prior to its expiration.

11. It consolidates complaint investigation requirements.

LD 1428 An Act To Establish the Forensic Treatment Fund To Establish a Behavioral Assessment and Safety Evaluation Unit

Died Between Houses

Sponsor(s)

MARTIN J

Committee Report

ONTP
OTP-AM

Amendments Adopted

This bill establishes and appropriates funds to the Forensic Treatment Fund in the Department of Health and Human Services. It funds the establishment and operation by the Commissioner of Health and Human Services of a behavioral assessment and safety evaluation unit.

Committee Amendment "A" (H-334)

This amendment, which is the minority report, clarifies that the appropriation in fiscal year 2016-17 is for one month of a contract for establishing and operating a behavioral assessment and safety evaluation unit. The appropriation is for the final month of fiscal year 2016-17.

LD 1432 An Act To Consolidate the Investigation of Out-of-home Child Abuse and Neglect

PUBLIC 283

Sponsor(s)

SANDERSON

Committee Report

OTP-AM

Amendments Adopted

H-453

This bill does the following.

1. It clarifies the Department of Health and Human Services' investigation of out-of-home child abuse or neglect. It enacts new laws and integrates relevant provisions of existing child abuse and neglect laws into these new laws.
2. It consolidates and clarifies the role of the team that investigates out-of-home child abuse or neglect.
3. It eliminates duplication of department investigations of the same or related allegations of out-of-home child abuse or neglect.
4. It authorizes the investigation team to assist other departments that are charged with the responsibility to investigate out-of-home child abuse or neglect, including the Department of Education and Department of Corrections.
5. It clarifies the requirement that the investigation team's findings of abuse or neglect be supported by identified factors as set out in the team's written decision. Factors that support indicated and substantiated findings are established in rules adopted by the department.
6. It clarifies the right of a person to have a hearing on and to appeal an indicated or substantiated finding of

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out-of-home child abuse or neglect.

7. It requires the investigation team to provide notification of a report of abuse or neglect to the parent, guardian or custodian of a child who is the alleged victim and information regarding the conclusions reached upon closure of the investigation.

8. It authorizes the investigation team to notify the parents, guardians or custodians of children who attend a licensed children's facility or program when there is a report that alleges the occurrence of abuse or neglect in the licensed children's facility or program upon conclusion of the investigation whether the investigation team determined that a violation of law or rules has occurred.

Committee Amendment "A" (H-453)

This amendment allows the Department of Health and Human Services' investigation team to notify a child's parent, guardian or custodian that the child has been allegedly abused or neglected, rather than requiring the notification, to reflect that there are situations when the parent, guardian or custodian should not be notified. It also clarifies that the department, rather than the investigation team, may publish information on the department's publicly accessible website regarding an investigation, but only upon the conclusion of the investigation.

Enacted Law Summary

Public Law 2015, chapter 283 updates the Department of Health and Human Services' investigation of out-of-home child abuse or neglect. It consolidates and clarifies the role of the team that investigates out-of-home child abuse or neglect and authorizes the investigation team to assist other departments that are charged with the responsibility to investigate out-of-home child abuse or neglect, including the Department of Education and Department of Corrections. It allows the department's investigation team to notify a child's parent, guardian or custodian that the child has been allegedly abused or neglected. The department may publish information on the department's publicly accessible website regarding an investigation but only upon the conclusion of the investigation.

LD 1439 An Act To Establish a Secure Internet-based Background Check Center for Providers of Long-term Care, Child Care and In-home and Community-based Services

PUBLIC 299

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS	OTP-AM	S-274

This bill establishes an interagency comprehensive background check program to protect Maine citizens vulnerable to abuse, neglect or exploitation by individuals in positions of trust who are charged with the physical and financial care of these individuals. Providers are required to perform background checks prior to hiring new direct care workers as well as current on direct access personnel. The bill creates the Background Check Center, which allows direct access care providers to secure background information from abuse and neglect databases, sex offender registries, the registry of certified nursing assistants and direct care workers, professional licensing authorities, Medicare and Medicaid exclusion databases and criminal history record repositories. The bill enables the Background Check Center to provide a report that identifies offenses that disqualify an individual from employment as a direct access worker. It also authorizes a system of continued criminal record monitoring through a rap back program to ensure that employers are informed of any new disqualifying criminal offense that may occur after a direct access worker's initial background check. It provides for a conditional employment process that allows direct access workers to correct inaccurate background check report records and procedures to gradually implement background checks for current employees. The bill outlines compliance requirements including penalties and the impact of violations on provider licensing for noncompliance with the requirements. It amends existing background check and prohibited employment laws to use consistent language across all areas affected by the laws.

Committee Amendment "A" (S-274)

Joint Standing Committee on Health and Human Services

This amendment makes the following changes to the bill.

1. It amends and standardizes the definition of "direct care worker."
2. It clarifies that facilities or providers licensed under Title 22, chapter 419 are required to conduct a background check for individuals employed in positions that have direct access to a consumer's property, personally identifiable information, financial information or resources in accordance with federal and state laws.
3. It requires a training program for certified nursing assistants or direct care workers either to pay for or secure a background check.
4. It adds a process for an individual who has a disqualifying offense to secure a waiver from the employment ban.
5. It clarifies that information provided through the Maine Sex Offender Registry is available to the Background Check Center.
6. It adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2015, chapter 299 establishes an interagency comprehensive background check program to protect Maine citizens vulnerable to abuse, neglect or exploitation by individuals in positions of trust who are charged with the physical and financial care of these individuals. Providers are required to perform background checks prior to hiring new direct care workers as well as current on direct access personnel. It creates the Background Check Center, which allows direct access care providers to secure background information from abuse and neglect databases, sex offender registries, the registry of certified nursing assistants and direct care workers, professional licensing authorities, Medicare and Medicaid exclusion databases and criminal history record repositories. The Background Check Center provides a report that identifies offenses that disqualify an individual from employment as a direct access worker. It also authorizes a system of continued criminal record monitoring through a rap back program to ensure that employers are informed of any new disqualifying criminal offense that may occur after a direct access worker's initial background check. It provides for a conditional employment process that allows direct access workers to correct inaccurate background check report records and procedures to gradually implement background checks for current employees. It establishes a process for an individual who has a disqualifying offense to secure a waiver from the employment ban. It establishes compliance requirements including penalties and the impact of violations on provider licensing for noncompliance with the requirements.

Joint Standing Committee on Health and Human Services

SUBJECT INDEX

Aging and Long-term Care

Enacted

LD 63	Resolve, To Require the Department of Health and Human Services To Provide Supplemental Reimbursement to Adult Family Care Homes and Residential Care Facilities in Remote Island Locations	RESOLVE 45 EMERGENCY
LD 87	Resolve, To Implement the Recommendations of the Commission To Continue the Study of Long-term Care Facilities	RESOLVE 34 EMERGENCY
LD 1049	An Act To Further Define Duties for Persons Who Hold Powers of Attorney or Act as Agents for Residents of Long-term Care Facilities	PUBLIC 247
LD 1079	Resolve, To Support and Encourage the Development of an Adult Family Care Demonstration Project in Washington County	RESOLVE 31
LD 1129	Resolve, To Change the Requirements for Nursing Services in Home Health Care	RESOLVE 33
LD 1337	An Act To Fund the Family Caregiver Support Program	PUBLIC 348
LD 1348	An Act To Protect Older Adults from Financial Exploitation	PUBLIC 332 EMERGENCY
LD 1350	Resolve, To Increase the Reimbursement Rate for Direct-care Workers Serving Adults with Long-term Care Needs	RESOLVE 50

Not Enacted

LD 75	Resolve, To Strengthen Health Care Services for Maine Residents Affected by Neurodegenerative Diseases	ONTP
LD 90	Resolve, To Ensure Appropriate Personal Needs Allowances for Persons Residing in Long-term Care Facilities	CARRIED OVER
LD 154	An Act To Promote Greater Flexibility in the Provision of Long-term Care Services	ONTP
LD 665	Resolve, Establishing the Commission To Study Services Available on the Long-term Care Continuum	Died On Adjournment
LD 886	Resolve, Directing the Department of Health and Human Services To Increase Reimbursement Rates for Home-based and Community-based Services	CARRIED OVER
LD 1050	An Act To Reimburse Nursing Homes for the Loss of Coinsurance and Deductibles for Skilled Nursing Beds under Rules Adopted by the Department of Health and Human Services	ONTP

LD 1078	An Act To Preserve MaineCare Assisted Living by Providing a 4% Rate Increase to Private Nonmedical Institutions and Adult Family Care Homes	Died On Adjournment
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Certificate of Need

Not Enacted

LD 45	An Act To Exempt Certain Capital Expenditures from the Maine Certificate of Need Act of 2002	Died Between Houses
LD 734	An Act To Repeal the Certificate of Need Requirement for Hospitals	Died Between Houses
LD 751	An Act To Provide Consideration of the Need for Nursing Facility Beds in the Area Where They Are Located before Those Beds Are Lost	ONTP

Child Care

Enacted

LD 1432	An Act To Consolidate the Investigation of Out-of-home Child Abuse and Neglect	PUBLIC 283
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Not Enacted

LD 559	An Act To Notify Parents of a Complaint against a Child Care Facility or a Family Child Care Provider	ONTP
LD 772	An Act To Amend the Membership of the Child Care Advisory Council	ONTP
LD 977	An Act To Improve Child Care in the State	Died Between Houses
LD 1054	An Act To Provide Funding for Head Start Services	Died Between Houses
LD 1267	An Act To Assist Working Families with Young Children	CARRIED OVER
LD 1385	An Act To Enable a Foster Child To Remain in a Daycare Facility Selected by a Foster Parent	ONTP

Children's Services

Enacted

LD 470	An Act To Allow Children's Residential Care Facilities To Ensure the Safety of Their Residents	PUBLIC 240
LD 483	An Act Regarding the Reporting Standards for Child Abuse	PUBLIC 178
LD 1365	An Act Regarding Licensed Children's Programs	PUBLIC 278

Not Enacted

LD 213	An Act To Ensure the Comprehensive Medical, Dental, Educational and Behavioral Assessment of Children Entering State Custody	CARRIED OVER
LD 622	An Act To Require Training of Mandated Reporters under the Child Abuse Laws	CARRIED OVER

Departmental Organization and Administration

Enacted

LD 139	An Act To Allow the Electronic Transfer of Marriage Certificates	PUBLIC 104
LD 525	Resolve, To Direct the Department of Health and Human Services To Report on Efforts To Reach in Rural Areas Persons Who Are Elderly, Disabled or Mentally Ill	RESOLVE 18
LD 1237	An Act Regarding the Filing of Death and Marriage Records	PUBLIC 193

Not Enacted

LD 219	An Act To Protect a Child from Misuse of Identity	ONTP
LD 358	An Act To Provide Additional Oversight over the Management of the Department of Health and Human Services	Died Between Houses
LD 421	An Act To Improve Program Integrity Activities within the Department of Health and Human Services	Died Between Houses
LD 478	An Act To Require That Death Certificates Be Signed Using an Electronic Signature System	ONTP
LD 1349	An Act To Establish the Office of the Inspector General in the Department of Health and Human Services	Majority (ONTP) Report

Developmental Disabilities

Enacted

LD 7	Resolve, Regarding Legislative Review of Portions of Chapter 101, MaineCare Benefits Manual, Chapter III, Section 21: Allowances for Home and Community Benefits for Adults with Intellectual Disabilities or Autistic Disorder, a Major Substantive Rule of the Department of Health and Human Services	RESOLVE 1 EMERGENCY
LD 597	Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 29: Allowances for Support Services for Adults with Intellectual Disabilities or Autistic Disorder, a Major Substantive Rule of the Department of Health and Human Services	RESOLVE 13 EMERGENCY
LD 1134	An Act To Require the Department of Health and Human Services To Distribute Information Regarding Down Syndrome to Providers of Prenatal and Postnatal Care and to Genetic Counselors	PUBLIC 269

Not Enacted

LD 205	An Act To Facilitate the Development and Operation of a Group Home for Post-High School Adults with Developmental Disabilities	ONTP
LD 274	Resolve, To Direct the Department of Health and Human Services To Address the Growing Deficit in Room and Board Allowances Paid to Agencies Providing Residential Services to Adults with Intellectual Disabilities or Autism	Died Between Houses

LD 517	Resolve, To Reconcile Conflicts between the Home and Community-based Waiver Program for the Elderly and Adults with Disabilities and the Requirements of the Department of Health and Human Services and the Department of Public Safety	ONTP
LD 647	An Act To Require the Department of Health and Human Services To Update Its Rules Governing Services for Children with Cognitive Impairments and Functional Limitations	Veto Sustained
LD 1061	Resolve, To Create the Commission To Study a Stable Continuum of Care for Persons with Intellectual and Developmental Disabilities and Autism	Died On Adjournment
LD 1236	An Act To Change the Type of Rulemaking Required Regarding Persons with Intellectual Disabilities or Autism	Majority (ONTP) Report
LD 1356	Resolve, To Create a Working Group To Ensure a Stable Continuum of Care for Individuals with Intellectual Disabilities and Autism	ONTP

Disabilities

Not Enacted

LD 949	An Act To Enact the Recommendations of the Commission on Independent Living and Disability	CARRIED OVER
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End of Life

Not Enacted

LD 1270	An Act Regarding Patient-directed Care at the End of Life	Died Between Houses
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Fund for a Healthy Maine

Enacted

LD 905	Resolve, To Study Allocations of the Fund for a Healthy Maine	RESOLVE 47 EMERGENCY
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Not Enacted

LD 1294	An Act To Improve the Health of Maine Residents through Education and Health Care	INDEF PP
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Health Care

Not Enacted

LD 969	An Act To Preserve Jobs and Primary Care Services in Rural and Underserved Areas of Maine	Died On Adjournment
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Health Care Workforce

Enacted

LD 1426	An Act Regarding the Maine Registry of Certified Nursing Assistants and Direct Care Workers	PUBLIC 196
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LD 1439 An Act To Establish a Secure Internet-based Background Check Center for Providers of Long-term Care, Child Care and In-home and Community-based Services PUBLIC 299

Not Enacted

LD 1316 An Act Regarding the Employment of Certified Nursing Assistants and Direct Care Workers ONTP

Hospitals

Enacted

LD 155 Resolve, To Establish the Commission To Study Difficult-to-place Patients RESOLVE 44 EMERGENCY

LD 666 An Act To Allow a Patient To Designate a Caregiver in the Patient's Medical Record PUBLIC 370

Not Enacted

LD 292 An Act To Require Hospitals To Allow Patients To Provide Their Own Medications ONTP

LD 343 An Act To Align the Federal Affordable Care Act's Health Care Coverage Opportunities and Hospital Charity Care Died Between Houses

Immunizations

Enacted

LD 1076 Resolve, Directing the Department of Health and Human Services To Increase Public Awareness about and Access to Federal Resources Related to Vaccine Injuries RESOLVE 35

Not Enacted

LD 471 An Act To Improve Childhood Vaccination Rates in Maine Veto Sustained

LD 473 Resolve, Directing the Department of Education and the Department of Health and Human Services To Jointly Adopt Rules To Protect Children's Health Leave to Withdraw

LD 606 An Act To Remove the Philosophical Exemption from the Immunization Requirements for School Students and Employees of Nursery Schools and Health Care Facilities ONTP

Lead Poisoning

Not Enacted

LD 1115 An Act To Make the State's Standard for Lead Exposure in Children Consistent with the Federal Standard INDEF PP

Licensing

Not Enacted

LD 436 An Act To Require Providers of Short-term Lodging To Be Licensed by the State ONTP

LD 715	Resolve, Directing the Department of Health and Human Services To Hire Health Inspectors	Died Between Houses
LD 1295	An Act To Streamline Regulation of Farms, Food Producers and Food Establishments	Leave to Withdraw

Maternal/Infant

Not Enacted

LD 84	An Act Concerning Screening of Newborns for Lysosomal Storage Disorders	ONTP
LD 552	An Act To Provide Funding for Home Visiting Services	CARRIED OVER
LD 663	Resolve, To Require That the Department of Health and Human Services Determine Whether Testing for Krabbe Disease Should Be Required for Newborns	Leave to Withdraw
LD 940	Resolve, To Require Hospitals To Provide Information to Parents of Infants Regarding Testing for Krabbe Disease	Leave to Withdraw
LD 1149	Resolve, Directing the Maine Center for Disease Control and Prevention To Report on Progress toward Meeting Healthy Maine 2020 Goals Pertaining to Reproductive Health	CARRIED OVER

Medicaid/MaineCare

Enacted

LD 319	An Act To Strengthen the Economic Stability of Qualified Maine Citizens by Expanding Coverage of Reproductive Health Care and Family Services	PUBLIC 356
LD 582	An Act To Establish a State Educational Medicaid Officer	PUBLIC 359
LD 649	Resolve, To Ensure That MaineCare-eligible Children Have Equal Access to Providers of Dental, Hearing and Vision Services	RESOLVE 30
LD 831	Resolve, To Reduce MaineCare Spending through Targeted Prevention Services	RESOLVE 54

Not Enacted

LD 179	Resolve, Directing the Department of Health and Human Services To Provide Coverage under the MaineCare Program for Routine Male Newborn Circumcisions	ONTP
LD 472	An Act To Establish Meals on Wheels as a Service Covered under the MaineCare Program	ONTP
LD 475	Resolve, To Increase MaineCare Services for Certain Recipients To Allow Them To Remain at Home	CARRIED OVER
LD 633	An Act To Improve the Health of Maine Citizens and the Economy of Maine by Providing Affordable Market-based Coverage Options to Low-income Uninsured Citizens	CARRIED OVER

LD 664	Resolve, To Direct the Department of Health and Human Services To Submit a State Plan Amendment To Allow Community-based and Other Health Care Providers To Be Reimbursed by MaineCare	ONTP
LD 798	An Act To Strengthen Maine's Hospitals and Increase Access to Health Care	ONTP
LD 808	An Act To Decrease Uncompensated Care, Reduce Medical Debt and Improve Health Outcomes	ONTP
LD 841	Resolve, Directing the Department of Health and Human Services To Develop a Bus Pass Program	ONTP
LD 854	An Act To Increase Access to Health Security by Expanding Federally Funded Health Care for Maine People	Died Between Houses

Medical Use of Marijuana

Not Enacted

LD 5	An Act To Increase the Limit on the Number of Patients a Primary Caregiver May Provide for under the Medical Marijuana Laws	Died In Concurrence
LD 21	An Act To Amend the Medical Marijuana Laws	ONTP
LD 23	An Act To Remove from the Maine Medical Use of Marijuana Act the Requirement That a Patient's Medical Condition Be Debilitating	Died Between Houses
LD 35	An Act To Provide Legal Protection to Hospitals where Admitted Qualifying Patients Use Smokeless Forms of Medical Marijuana	Veto Sustained
LD 266	An Act To Allow Access for Law Enforcement Officers to the List of Registered Primary Caregivers for Medical Marijuana Patients	ONTP
LD 560	An Act Regarding Patient Information Under the Maine Medical Use of Marijuana Act	Veto Sustained
LD 726	An Act To Increase Patient Safety in Maine's Medical Marijuana Program	CARRIED OVER
LD 752	An Act To Permit Medical Marijuana Cultivation by Incapacitated Adults	Veto Sustained
LD 766	An Act To Require a Medical Marijuana Primary Caregiver Cultivating in a Residential Building To Obtain an Electrical Permit	ONTP
LD 1058	An Act Regarding Medical Marijuana Registered Testing Laboratories	ONTP
LD 1059	An Act Relating to Marijuana Testing Facilities	Veto Sustained
LD 1258	An Act To Amend the Maine Medical Use of Marijuana Act with Regard to Good Business Practices	ONTP
LD 1392	An Act To Amend the Maine Medical Use of Marijuana Act	Minority (ONTP) Report

Mental Health

Enacted

LD 736	An Act To Allow Access to Certain Death Records	PUBLIC 189
LD 1368	An Act To Require the Documentation of the Use of Seclusion and Restraint at Mental Health Institutions in the State	PUBLIC 266

Not Enacted

LD 477	Resolve, To Increase Funding To Support Peer Centers	Died On Adjournment
LD 539	An Act To Increase Utilization of the Dorothea Dix Psychiatric Center	ONTP
LD 604	An Act To Encourage Communication Regarding Persons with Mental Illness	ONTP
LD 842	An Act To Establish Peer Center Reimbursement	CARRIED OVER
LD 966	An Act To Assist Patients in Need of Psychiatric Services	CARRIED OVER
LD 1030	An Act To Better Coordinate the Work of Mental Health Crisis Agencies with Law Enforcement Agencies	CARRIED OVER
LD 1209	An Act To Increase the Effectiveness of Peer Supports in the State	CARRIED OVER
LD 1412	An Act To Fund a Training Partnership between Riverview Psychiatric Center and the University of Maine at Augusta	CARRIED OVER
LD 1428	An Act To Establish the Forensic Treatment Fund To Establish a Behavioral Assessment and Safety Evaluation Unit	Died Between Houses

Miscellaneous

Enacted

LD 433	An Act To Clarify the Liability of Funeral Practitioners	PUBLIC 188
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Not Enacted

LD 928	Resolve, To Enhance Consumer Awareness of Expenditures and Gifts by Manufacturers of Prescribed Products	ONTP
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Oral Health/Dental Care

Not Enacted

LD 474	An Act To Improve Access to Dental Care in Maine	ONTP
LD 605	Resolve, To Provide Certain Dental Services to Pregnant Women Enrolled in the MaineCare Program	ONTP
LD 771	An Act To Promote Dental Services for Prenatal and Postpartum Women	ONTP
LD 860	Resolve, To Adjust Reimbursement Rates for Dental Services and Improve Access to Dental Care under the MaineCare Program	CARRIED OVER
LD 917	Resolve, To Improve Access to Dental Care through a Pediatric Medical Benefit	ONTP

Palliative Care

Enacted

LD 782	An Act To Improve the Quality of Life of Persons with Serious Illnesses	PUBLIC 203
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Prescription Drugs

Enacted

LD 1170	Resolve, Regarding Legislative Review of Portions of Chapter 11: Rules Governing the Controlled Substances Prescription Monitoring Program, a Late-filed Major Substantive Rule of the Department of Health and Human Services	RESOLVE 16 EMERGENCY
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Not Enacted

LD 180	An Act To Allow Terminally Ill Patients To Choose To Use Experimental Treatments	CARRIED OVER
LD 327	An Act To Require Prescribers of Controlled Substances To Use the Controlled Substances Prescription Monitoring Program Software	ONTP
LD 469	An Act To Promote the Disposal of Unused Medications	ONTP
LD 989	An Act To Limit the Use of Extended-release Hydrocodone Bitartrate	Majority (ONTP) Report

Public Assistance

Enacted

LD 369	An Act To Clarify the Immigration Status of Noncitizens Eligible for General Assistance	PUBLIC 324
LD 722	An Act To Strengthen Penalties for Abuse of General Assistance	PUBLIC 312

Not Enacted

LD 101	An Act To Strengthen and Reform Maine's Welfare System	ONTP
LD 133	Resolve, To Establish the Task Force on Independence from Public Assistance	ONTP
LD 368	An Act To Integrate the State's General Assistance and Temporary Assistance for Needy Families Programs	Died Between Houses
LD 452	An Act To Require a Work Search for Job-ready Applicants for Benefits under the Temporary Assistance for Needy Families Program	ONTP
LD 526	Resolve, To Require the Department of Health and Human Services To Request a Waiver To Prohibit the Use of Food Supplement Benefits for the Purchase of Taxable Food Items	Died Between Houses
LD 607	An Act To Stop the Abuse of Electronic Benefits Transfer Cards	Died Between Houses
LD 632	An Act To Require the State To Administer and Fund the General Assistance Program	ONTP
LD 816	An Act To Reform Welfare and Eliminate the Welfare Cliff	ONTP
LD 885	An Act To Promote Enhanced Eligibility Verification in Maine's Welfare System	CARRIED OVER
LD 1006	An Act To Prevent Beneficiaries under the Statewide Food Supplement Program from Carrying Forward Unused Benefit Amounts	ONTP

LD 1034	An Act To Prohibit the Use of EBT Cards for Cash Withdrawals	ONTP
LD 1035	An Act To Create a 9-month Time Limit on General Assistance Benefits	Died Between Houses
LD 1036	An Act To Prioritize Use of Available Resources in General Assistance Programs	Died Between Houses
LD 1037	An Act To Establish a 180-day Residency Requirement for Welfare Benefits	Majority (ONTP) Report
LD 1052	An Act To Feed Rural Citizens of the State	Died Between Houses
LD 1097	An Act To Improve the Integrity of Maine's Welfare Programs	CARRIED OVER
LD 1144	An Act To Ensure the Integrity of the Temporary Assistance for Needy Families Program	Died Between Houses
LD 1193	An Act To Encourage Good Nutrition and Healthy Choices in the Supplemental Nutrition Assistance Program	Died In Concurrence
LD 1268	An Act To Reform Welfare by Establishing Bridges to Sustainable Employment	CARRIED OVER
LD 1324	An Act To Create Transparency with Regard to Large Employers in the State with Workforce Members Who Receive Public Benefits	Died Between Houses
LD 1375	An Act To Increase Accountability in Maine's Welfare Programs	Died Between Houses
LD 1402	An Act To Reward Work Performed by Welfare Recipients	Died Between Houses
LD 1407	An Act To Require Screening and Testing for Illegal Substances of Beneficiaries under the Temporary Assistance for Needy Families Program	Died Between Houses

Public Health

Enacted

LD 423	An Act To Require Child-resistant Packaging for Nicotine Liquid Containers	PUBLIC 288
LD 1108	An Act To Protect Children and the Public from Vapor from Electronic Smoking Devices	PUBLIC 318
LD 1125	An Act To Expand Public Access to Epinephrine Autoinjectors	PUBLIC 231

Not Enacted

LD 123	An Act To Reduce Youth Cancer Risk	Died Between Houses
LD 476	An Act To Require Pharmacies To Provide Disposal Receptacles for Used Hypodermic Apparatuses	Majority (ONTP) Report
LD 661	An Act To Fund HIV, Sexually Transmitted Diseases and Viral Hepatitis Screening, Prevention, Diagnostic and Treatment Services	CARRIED OVER

LD 667	Resolve, Directing the Department of Health and Human Services To Educate the Public and Department Clients about How To Protect One's Family from Bisphenol A	ONTP
LD 832	An Act To Improve Public Health in Maine	ONTP
LD 1077	An Act To Ensure Access to Public Health Nursing Care and Child and Maternal Health Nursing Care in Washington County	ONTP
LD 1162	An Act To Ensure Safe Drinking Water for Maine Families	Veto Sustained

Substance Abuse

Enacted

LD 140	An Act To Expand Access To Lifesaving Opioid Overdose Medication	PUBLIC 351
LD 1307	An Act To Fund the Maine Diversion Alert Program	PUBLIC 304 EMERGENCY

Not Enacted

LD 20	An Act To Improve Substance Abuse Treatment	ONTP
LD 524	Resolve, To Develop a Pilot Program for Medication-assisted Recovery in a Rural Community at least 30 Miles from Bangor	Veto Sustained
LD 812	An Act To Prevent Drug Overdose Deaths by Enhancing Access to Opioid Antagonists	ONTP
LD 1090	Resolve, To Establish a Pilot Project for Medicaid Reimbursement for Acupuncture Treatment of Substance Abuse Disorders	Veto Sustained

Telemedicine

Enacted

LD 662	An Act To Increase Access to Health Care through Telemedicine	PUBLIC 137
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Not Enacted

LD 714	Resolve, Directing the Department of Health and Human Services To Study Providing Medical Assistance to Maine's Inhabited Islands	ONTP
LD 1352	An Act To Facilitate the Delivery of Health Care Services through Telemedicine and Telehealth	ONTP

Tobacco Sale and Use

Not Enacted

LD 821	An Act To Promote Equity in Business Opportunity for Tobacco Specialty Stores	Died Between Houses
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STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON INSURANCE AND
FINANCIAL SERVICES**

August 2015

MEMBERS:

SEN. RODNEY L. WHITTEMORE, CHAIR
SEN. LINDA L. BAKER
SEN. GEOFFREY M. GRATWICK

REP. HENRY E. M. BECK, CHAIR
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Joint Standing Committee on Insurance and Financial Services

LD 24 An Act To Create a Public State Bank

**Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RUSSELL	ONTP OTP-AM	

This bill establishes the Maine Street Bank effective July 1, 2017 except that the bank may not make, purchase, guarantee, modify or hold loans until the bank has capital of at least \$20,000,000. It specifies the purposes of the bank, establishes a board of directors and creates an advisory committee. It allows the bank to accept deposits of public funds, to make, purchase, guarantee, modify or hold certain loans and to serve as a custodian bank. It directs the Treasurer of State to deposit money into the bank. Excess income of the bank is deposited in the Maine Budget Stabilization Fund.

The bill provides for a quarterly examination of the bank by the Department of Professional and Financial Regulation, Bureau of Financial Institutions and an audit by the State Auditor every two years.

The bill allows counties and municipalities to establish public banks.

The bill directs the Treasurer of State, the Commissioner of Administrative and Financial Services and the Chief Executive Officer of the Finance Authority of Maine to consult with the Attorney General and report to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs by January 15, 2016 with recommendations to fully implement the bank, including recommendations regarding the merger of the Finance Authority of Maine into the bank. It authorizes the joint standing committee to report out a bill to the Second Regular Session of the 127th Legislature.

Committee Amendment "A" (H-35)

This amendment is the minority report of the committee. The amendment appropriates one-time funds to the Finance Authority of Maine to research and prepare the report related to the merger of the Finance Authority of Maine with the Maine Street Bank established in the bill.

**LD 124 An Act To Require Payment by a Carrier for Health Care Services
Provided to Enrollees of the Carrier**

PUBLIC 84

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRATWICK SANBORN	OTP-AM	S-47

Providers who treat enrollees of a carrier are not compensated for care provided during the pendency of credentialing. This bill requires retroactive payment to a provider for services rendered from the date a credentialing application is submitted for up to 60 days prior to credentials being granted.

Committee Amendment "A" (S-47)

This amendment replaces the bill. The amendment requires carriers to pay providers for services rendered prior to credentials being granted, retroactive to when a complete application for credentialing is submitted, as long as credentials are granted to that provider by the carrier. The bill required retroactive payment to a provider for services rendered up to 60 days prior to credentials being granted. The amendment clarifies that a claim may not be submitted until the provider has been notified of the credentialing decision and the effective date of any credentials.

Joint Standing Committee on Insurance and Financial Services

The amendment also makes a spelling change to match the preferred spelling of the relevant national accrediting organization.

Enacted Law Summary

Public Law 2015, chapter 84 requires carriers to pay providers for services rendered prior to credentials being granted, retroactive to when a complete application for credentialing is submitted, as long as credentials are granted to that provider by the carrier.

LD 135 An Act To Reduce Tobacco Use Surcharges in Small Group and Individual Health Insurance Products Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN GRATWICK	OTP-AM	H-26

This bill prohibits carriers providing individual health plans or small group health plans from adding a surcharge for tobacco use.

Committee Amendment "A" (H-26)

The amendment replaces the bill, which proposed to prohibit carriers providing individual health plans or small group health plans from adding a surcharge for tobacco use. The amendment reduces the maximum rate differential that may be applied by a carrier for tobacco use in individual and small group health insurance policies from 1.5 to 1.2 to 1 and makes the changed rate differential apply to all policies, contracts and certificates issued or renewed on or after January 1, 2017.

LD 144 Resolve, To Study State and Federal Laws Regarding Online Privacy and Data Security To Develop Ways To Further Protect Consumers from Identity Theft and Fraud Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RUSSELL	OTP-AM ONTP	H-101

This bill authorizes a person, firm, partnership, association or corporation that offers for purchase an electronic downloadable product to require, as a condition of accepting a credit card for payment, that a consumer provide personal identification information only if that person, firm, partnership, association or corporation requires that information solely for the detection, investigation or prevention of fraud, theft, identity theft or criminal activity or for enforcement of the terms of sale. The bill requires any personal identification information collected for these purposes to be destroyed after it is no longer needed and also prohibits the further sharing of that information.

The bill authorizes a person, firm, partnership, association or corporation that offers for purchase an electronic downloadable product to require that a consumer establish an account as a condition for the purchase of a downloadable product and to require that a consumer provide personal identification information, as long as the consumer is provided an opportunity to opt out of the collection of personal identification information before completing the online transaction.

Committee Amendment "A" (H-101)

This amendment is the majority report of the committee. This amendment replaces the bill and changes it into a resolve. The amendment establishes a task force to study state and federal laws regarding online privacy and data

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security. The task force is composed of 13 members, including seven Legislators and six representatives of privacy and data security associations, consumer protection advocates, financial institutions, online retailers, technology companies and an organization whose mission is to protect the United States Constitution and the privacy of citizens. The amendment requires the task force to identify policy options for the State to consider to protect consumers from identity theft and fraud when making purchases online. The amendment requires the task force to report back to the Legislature before the Second Regular Session of the 127th Legislature.

LD 220 An Act To Require Proper Notification of Life Insurance Cancellation

**PUBLIC 61
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOORE	OTP-AM	H-39
KATZ	OTP-AM	

This bill requires insurers to provide notice of the lapse or termination of a life insurance policy by registered mail.

Committee Amendment "A" (H-39)

This amendment is the majority report of the committee. The amendment replaces the bill, which proposes to require individual life insurers to provide notice of termination of a life insurance policy by registered mail. The amendment requires the Maine Public Employees Retirement System to provide notice of cancellation of life insurance coverage administered by the Maine Public Employees Retirement System to an employee and any designated third party. The notice must be by mail. The amendment also allows an employee covered by the Maine Public Employees Retirement System to designate a third party to receive the cancellation notice. The amendment also adds an emergency preamble and clause.

Committee Amendment "B" (H-40)

This amendment is the minority report of the committee. The amendment replaces the bill, which proposes to require individual life insurers to provide notice of termination of a life insurance policy by registered mail. The amendment requires the Maine Public Employees Retirement System to provide notice of cancellation of life insurance coverage administered by the Maine Public Employees Retirement System to an employee and any designated third party. The notice must be by certified mail. The amendment also allows an employee covered by the Maine Public Employees Retirement System to designate a third party to receive the cancellation notice. The amendment also adds an emergency preamble and clause.

Enacted Law Summary

Public Law 2015, chapter 61 requires the Maine Public Employees Retirement System to provide notice of cancellation of life insurance coverage administered by the Maine Public Employees Retirement System to an employee and any designated third party by mail.

Public Law 2015, chapter 61 was enacted as an emergency measure effective May 10, 2015.

LD 243 An Act To Restore Consumer Rate Review for Health Insurance Plans in the Individual Market

**Died Between
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MELARAGNO	OTP-AM	
GRATWICK	ONTP	

This bill amends the rate review process for individual health insurance. It requires advance review and prior

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approval of individual health insurance rates. It requires the Superintendent of Insurance to hold a hearing if a filing proposes an increase in rates in individual health insurance plans. It requires the Superintendent of Insurance to disapprove premium rates unless the minimum medical loss ratio satisfies the statutory requirements for individual health plans. The changes apply to individual health plan rate filings submitted to the Department of Professional and Financial Regulation, Bureau of Insurance beginning with the 2016 plan or policy year. The bill also requires meetings of the Board of Directors of the Maine Guaranteed Access Reinsurance Association to be open to the public.

Committee Amendment "A" (H-104)

This amendment is the majority report of the committee. The amendment requires the Superintendent of Insurance to hold meetings in at least three locations throughout the State to allow public comment on a rate filing if the rate filing proposes an increase in rates in individual health insurance plans that exceeds the rate of medical inflation by two percent or more. The bill requires a hearing to be held pursuant to the Maine Administrative Procedure Act for every rate filing proposing an increase in rates in individual health plans. The changes in the amendment apply to rate filings beginning with the 2017 plan or policy year, instead of the 2016 plan or policy year as proposed in the bill.

The amendment also removes the section of the bill related to meetings of the Board of Directors of the Maine Guaranteed Access Reinsurance Association.

Committee Amendment "A" was adopted in the House, but was not adopted in the Senate.

LD 251 An Act To Limit Allowable Health Care Charges in Certain Specified Situations Accepted Minority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRATWICK MORRISON	OTP-AM ONTP	

This bill limits a health plan enrollee's responsibility for the cost of covered health care when an enrollee receives health care services from an out-of-network provider at a participating hospital or other health care facility to the cost-sharing provisions for participating providers.

Committee Amendment "A" (S-35)

This amendment is the majority report of the committee. The amendment replaces the bill and changes the title. The amendment requires hospital and ambulatory surgical centers to disclose to patients when a health care provider rendering nonemergency surgical or other medical services is not employed by the hospital or ambulatory surgical center and may not be a participating provider in the patient's health insurance carrier network. The amendment also clarifies that the provision does not limit or change the application of the rules of the Department of Professional and Financial Regulation, Bureau of Insurance governing health plan accountability.

Committee Amendment "A" was not adopted.

LD 289 An Act To Amend the Health Plan Improvement Law Regarding Prescription Drug Step Therapy Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROSEN	OTP-AM ONTP	S-104

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This bill provides that the clinical review criteria used by a carrier in approving prescription drug step therapy must adhere to federal Food and Drug Administration prescription drug labeling and may not require failure on the same medication on more than one occasion for enrollees continuously enrolled in a health plan offered by the carrier. The bill also provides that the provisions may not be construed to prevent a health care practitioner from prescribing a medication for an off-label use or from prescribing a medication on more than one occasion when the health care practitioner determines it is medically appropriate.

If a carrier requires the failure on one or more drugs as a condition of prior authorization for a nonpreferred drug, the bill prohibits a carrier from collecting a copayment greater than the lowest cost preferred drug copayment in the same drug class from an enrollee that has satisfied the carrier's prior authorization requirements.

Committee Amendment "A" (S-104)

This amendment, which is the majority report of the committee, replaces the bill. The amendment provides that the clinical review criteria used by a carrier in approving prescription drugs may not prevent a health care practitioner from prescribing a medication for an off-label use, may not require failure on the same medication on more than one occasion for enrollees continuously enrolled in a health plan offered by the carrier and may not prevent a health care practitioner from prescribing a medication on more than one occasion when the health care practitioner determines it is medically appropriate.

The amendment also prohibits a carrier from requiring the failure on one or more drugs as a condition of prior authorization for a nonpreferred drug unless an enrollee has affirmatively agreed to the condition each time a carrier seeks to impose such a condition. The amendment does not restrict the cost-sharing imposed by a carrier.

LD 329 An Act To Allow Equipment Rental Companies To Sell Insurance

PUBLIC 77

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PICCHIOTTI WHITTEMORE	OTP-AM ONTP	H-80

This bill allows a rental company to offer for sale an insurance policy insuring against the loss of or damage to equipment rented for personal or household purposes.

Committee Amendment "A" (H-80)

This amendment replaces the bill and is the majority report of the committee. The amendment reallocates section 1 of the bill, which allows a rental company to offer for sale an insurance policy insuring against the loss of or damage to equipment rented for personal or household purposes, to the appropriate subchapter of the Maine Insurance Code. The amendment establishes a licensing structure for equipment rental insurance that is the same as the licensing structure for insurance sold in connection with renting a motor vehicle. The amendment requires rental companies to obtain a business entity license to sell insurance in connection with renting equipment and requires at least one employee at each office of the rental company located in the State to obtain a limited lines insurance producer license. The amendment also adds provisions to clarify that the insurance sold in connection with rental equipment is a limited lines insurance product and applicants for a license to sell that insurance product are exempt from examination.

Enacted Law Summary

Public Law 2015, chapter 77 allows a rental company to offer for sale an insurance policy insuring against the loss of or damage to equipment rented for personal or household purposes. The law establishes a licensing structure for equipment rental insurance that is the same as the licensing structure for insurance sold in connection with renting a

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motor vehicle. The law requires rental companies to obtain a business entity license to sell insurance in connection with renting equipment and requires at least one employee at each office of the rental company located in the State to obtain a limited lines insurance producer license. The law also clarifies that the insurance sold in connection with rental equipment is a limited lines insurance product and applicants for a license to sell that insurance product are exempt from examination.

LD 336 Resolve, Directing the Finance Authority of Maine To Convene a Stakeholder Group To Develop Solutions To Reduce the Negative Effect of Student Loan Debt on Home Ownership Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PECTEAU DUTREMBLE	OTP-AM	H-30

This bill establishes the Homes for Student Loans Program within the Finance Authority of Maine. The bill directs the authority to develop a loan product that combines outstanding federal and state student loan debt with a home mortgage.

Committee Amendment "A" (H-30)

This amendment replaces the bill with a resolve that directs the Finance Authority of Maine to convene a stakeholder group to study the issues surrounding outstanding student loan debt and its negative effect on the ability of Maine residents to purchase homes. The amendment requires that the authority report the findings and recommendations of the stakeholder group, including suggested legislation, to the Joint Standing Committee on Insurance and Financial Services no later than January 1, 2016.

LD 337 An Act To Require Lienholders To Remove Liens Once Satisfied PUBLIC 210

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL R BURNS	OTP-AM ONTP	H-136 S-242 WHITTEMORE

This bill requires a lienholder to remove a lien no later than 30 days after a lien has been satisfied and to provide written notice of the lien's discharge to any person provided notice at the time the lien was originally filed.

Committee Amendment "A" (H-136)

This amendment is the majority report of the committee and replaces the bill. Unless a specific time period is otherwise provided, the amendment requires a lienholder to remove a lien issued pursuant to the laws of this State no later than 60 days after a lien has been satisfied. The amendment also clarifies that the requirement does not apply to financing statements filed pursuant to the Uniform Commercial Code. The bill requires removal of a lien within 30 days and applies to all liens filed under state law. The amendment requires a lienholder to provide written notice by first-class mail of the lien's removal to any person provided notice at the time the lien was originally filed. The amendment also provides that a lienholder other than a municipality that fails to remove a lien is liable to a debtor or owner of the property for damages.

Senate Amendment "A" To Committee Amendment "A" (S-242)

This amendment removes the language in Committee Amendment "A" requiring a holder of a lien to provide written notice to any person who was provided notice of the lien at the time the lien was originally filed that the lien has been removed. In addition to exempting municipalities as provided in Committee Amendment "A", the amendment adds language exempting the State and other governmental entities from potential liability to a debtor for the failure

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to remove a lien. The amendment also provides that the liability of a holder of a lien to a debtor is for reasonable attorney's fees and costs incurred to cure a lien as a result of the failure to remove a lien and removes language in Committee Amendment "A" authorizing liability for actual damages.

Enacted Law Summary

Public Law 2015, chapter 210 requires a lienholder to remove a lien issued pursuant to the laws of this State no later than 60 days after a lien has been satisfied unless a specific time period is otherwise provided. The law also provides that a lienholder, other than the State, a municipality and other government entity, that fails to remove a lien is liable to a debtor or owner of the property for reasonable attorney's fees and costs incurred to cure a lien as a result of the failure to remove a lien.

Public Law 2015, chapter 210 does not apply to financing statements filed pursuant to the Uniform Commercial Code.

LD 347 An Act Concerning Billing between Emergency Medical Services Providers and Insurance Companies

Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUTREMBLE LAJOIE	ONTP OTP-AM	

This bill requires health insurance carriers to reimburse for the costs of emergency medical services, including calls for emergency medical assistance when a person is not transported to a hospital. The requirements of the bill apply to all health insurance policies issued or renewed on or after January 1, 2016.

Committee Amendment "A" (S-70)

This amendment is the minority report of the committee and replaces the bill with a resolve that requires the Department of Professional and Financial Regulation, Bureau of Insurance to conduct a review and evaluation of the mandated health benefit proposed by the bill in accordance with the requirements of the Maine Revised Statutes, Title 24-A, section 2752. The amendment requires that the review and evaluation must be submitted to the Joint Standing Committee on Insurance and Financial Services on or before January 1, 2016 and authorizes the committee to report out a bill based on the review and evaluation to the Second Regular Session of the 127th Legislature.

LD 359 An Act To Assist Persons with Breast Cancer

PUBLIC 227

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LONGSTAFF BREEN	OTP ONTP	S-144 WHITEMORE

This bill provides that individual and group health insurance policies must ensure that inpatient coverage with respect to breast cancer treatment is provided for a hospital stay of no less than 48 hours insofar as the attending physician, in consultation with the patient, determines it to be medically appropriate following a mastectomy or lumpectomy or of no less than 24 hours following a lymph node dissection. Under current law, the minimum hospital stay is not prescribed but must be provided for a period of time determined to be medically appropriate by the attending physician in consultation with the patient.

Senate Amendment "B" (S-144)

This amendment strikes the bill. The amendment requires carriers to provide written notice regarding the requirements for inpatient coverage following treatment of breast cancer to physicians participating in the carrier's

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provider network and requires attending physicians to provide a similar notice to patients when consulting with patients about breast cancer treatment. The amendment strikes the provisions in the bill requiring that inpatient coverage be provided for a hospital stay of no less than 48 hours following a mastectomy or lumpectomy or no less than 24 hours following a lymph node dissection.

Enacted Law Summary

Public Law 2015, chapter 227 requires carriers to provide written notice regarding the requirements for inpatient coverage following treatment of breast cancer to physicians participating in the carrier's provider network and requires attending physicians to provide a similar notice to patients when consulting with patients about breast cancer treatment.

The requirements of Public Law 2015, chapter 227 apply to all individual and group health insurance policies and contracts issued or renewed on or after January 1, 2016.

LD 382 An Act To Eliminate Certain Fees for Security Freezes and Allow Security Freezes for Minors

PUBLIC 139

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHITTEMORE BECK	OTP-AM	S-38 S-83 WHITTEMORE

This bill reduces by \$4 the maximum fees that may be charged by a consumer reporting agency for placing, suspending or removing a security freeze on a consumer report.

Committee Amendment "A" (S-38)

This amendment replaces the bill and changes the title. Beginning October 1, 2015, the amendment eliminates the fees that may be charged by a consumer reporting agency when a consumer requests a security freeze and permits the parent or guardian of a minor under 16 years of age to place a security freeze on the consumer report of that minor.

Senate Amendment "A" To Committee Amendment "A" (S-83)

This amendment amends Committee Amendment "A." It replaces the language on security freezes involving minors under 16 years of age in Committee Amendment "A" with language that is consistent with the laws of other states that permit security freezes for minors under 16 years of age. The amendment permits a consumer reporting agency to charge a fee of up to \$10 for each placement of or removal of a security freeze for a minor under 16 years of age. Committee Amendment "A" eliminates fees related to security freezes for a consumer who is not a minor under 16 years of age.

Enacted Law Summary

Beginning October 1, 2015, Public Law 2015, chapter 139 eliminates the fees that may be charged by a consumer reporting agency when a consumer who is not a minor under 16 years of age requests a security freeze. The law also permits the parent or guardian of a minor under 16 years of age to place a security freeze on the consumer report of that minor and allows a consumer reporting agency to charge a fee of up to \$10 for each placement of or removal of a security freeze for that minor.

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LD 384 Resolve, To Study the Design and Implementation of Options for a Veto Sustained
Universal Health Care Plan in the State That Is in Compliance with the
Federal Patient Protection and Affordable Care Act

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRATWICK TUCKER	OTP-AM ONTP	S-89

This resolve expresses the Legislature's intent that all Maine residents have access to and coverage for affordable, quality health care. The resolve requires the joint standing committee of the Legislature having jurisdiction over insurance and financial services matters to solicit the services of one or more consultants to propose design options for creating a universal system of health care in the State. The resolve requires the consultant or consultants to submit a report by December 2, 2016 containing at least three design options that comply with the federal Patient Protection and Affordable Care Act.

The resolve includes a provision requiring the State Controller to transfer \$100,000 from the state innovation model grant received by the Department of Health and Human Services pursuant to the federal Patient Protection and Affordable Care Act on or before June 30, 2016 to fund the study required by the resolve. If funds exceeding \$100,000 are received from other public and private sources before December 1, 2016, the resolve requires that the money be transferred back to the Department of Health and Human Services.

Committee Amendment "A" (S-89)

This amendment is the majority report of the committee and replaces the resolve. As in the resolve, the amendment expresses the Legislature's intent that all Maine residents have access to and coverage for affordable, quality health care.

The amendment establishes the Independent Advisory Committee with 11 members to solicit and oversee the services of one or more consultants to propose design options for creating a universal system of health care in the State. The amendment requires the consultant or consultants to draft design options by August 1, 2018. Following a public comment period, the amendment requires the advisory committee to submit a final report proposing adoption of one of the design options to the joint standing committee of the Legislature having jurisdiction over insurance and financial services matters by December 5, 2018. The joint standing committee of the Legislature having jurisdiction over insurance and financial services matters may report out a bill based on the advisory committee's report to the First Regular Session of the 129th Legislature. Preliminary progress reports must be filed by the advisory committee by January 1, 2016 and January 1, 2017.

The amendment requires the Independent Advisory Committee to apply for and receive funds from public and private sources to support its activities up to a maximum amount of \$300,000.

The amendment also adds an appropriations and allocations section.

LD 449 An Act Regarding the Payment of Commissions by Car Rental ONTP
Companies

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHITTEMORE PICCHIOTTI	ONTP	

This bill allows motor vehicle rental companies to pay commissions to employees selling insurance.

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LD 455 An Act To Prohibit Deceptive Practices Regarding Negotiable Instruments

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VALENTINO JORGENSEN	OTP-AM	S-17

This bill prohibits financial institutions and creditors from mailing unsolicited loan offers in the form of checks that when cashed by the recipient constitute acceptance of a loan.

Committee Amendment "A" (S-17)

This amendment replaces the bill. The amendment enacts a new provision in the Uniform Deceptive Trade Practices Act prohibiting the use of an advertisement or a solicitation designed to resemble a negotiable instrument, including a check, unless the document clearly states on its face that it is not negotiable.

LD 481 An Act To Amend the Eligibility Requirements for the Rural Medical Access Program

ONTP

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

This bill amends the eligibility requirements for the Rural Medical Access Program to include physicians employed by a for-profit organization.

LD 521 An Act To Amend the Health Care Practitioner Transparency Requirements

PUBLIC 35

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRATWICK	OTP-AM OTP-AM	S-19

This bill removes from the Maine Health Security Act the requirement that a health care practitioner display a copy of the practitioner's license so the license is visible to patients.

Committee Amendment "A" (S-19)

This amendment is the majority report of the committee. The amendment does the following.

1. It retains the provision in the bill removing the requirement that a health care practitioner display a copy of the practitioner's license so the license is visible to patients.
2. It amends the requirement that a health care practitioner wear a name badge to clarify that either the practitioner's first name or first and last name may be disclosed, except for a physician, whose name badge must include the physician's first and last name.
3. It removes the requirement that a health care practitioner's name badge include the practitioner's medical staff position.

Committee Amendment "B" (S-20)

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This amendment is the minority report of the committee. The amendment does the following.

1. It provides that only a health care practitioner that sees patients in a setting outside of a licensed health care facility is subject to the requirement that the health care practitioner display a copy of the practitioner's license so the license is visible to patients. The majority report removes the requirement for all health care practitioners.
2. It amends the requirement that a health care practitioner wear a name badge to clarify that either the practitioner's first name or first and last name may be disclosed, except for a physician, whose name badge must include the physician's first and last name.
3. It removes the requirement that a health care practitioner's name badge include the practitioner's medical staff position.

Enacted Law Summary

Public Law 2015, chapter 35 amends the law requiring health care practitioners to provide identification to the public by removing the requirement that a health care practitioner display a copy of the practitioner's license in an office area visible to current and prospective patients. The law also amends the requirement that a health care practitioner wear an identification badge to eliminate the requirement that the badge include the practitioner's medical staff position and to clarify that either the practitioner's first name or first and last name may be disclosed, except for a physician, whose identification badge must include the physician's first and last name.

LD 569 An Act To Reduce Municipal Liability outside Federally Declared Flood Zones ONTP

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

This bill prohibits an insurance company from excluding coverage under a homeowner's property insurance policy for flood damages caused by the failure of municipal or government infrastructure whether or not the home is located in a flood zone designated by the Federal Government.

LD 572 An Act To Ensure Appropriate Health Insurance Coverage for Prescription Eye Drops PUBLIC 91

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MORRISON GRATWICK	OTP-AM	H-81

This bill requires all health insurance carriers offering health plans to provide coverage for early refills of prescription eye drop medication in certain circumstances. The bill applies to all policies and contracts issued or renewed on or after January 1, 2016.

Committee Amendment "A" (H-81)

This amendment replaces the bill. Like the bill, the amendment requires all health insurance carriers offering health plans to provide coverage for early refills of prescription eye drop medication under certain circumstances. Unlike the bill, under the amendment the enrollee must request the refill no earlier than the date on which 70 percent of the days of use authorized by the prescribing health care provider have elapsed. Like the bill, the amendment applies to all policies and contracts issued or renewed on or after January 1, 2016.

Enacted Law Summary

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Public Law 2015, chapter 91 requires all health insurance carriers offering health plans to provide coverage for early refills of prescription eye drop medication under certain circumstances. An enrollee must request the refill from a carrier no earlier than the date on which 70 percent of the days of use authorized by the prescribing health care provider have elapsed.

Public Law 2015, chapter 91 applies to all policies and contracts issued or renewed on or after January 1, 2016.

LD 621 An Act To Improve Access to Insurance Coverage for Persons for Whom English Is a Second Language ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HASKELL STUCKEY	ONTP	

This bill permits insurance companies and producers to provide insurance policies and any explanatory or advertising material in a language other than English. This bill provides that, in the event of a dispute or complaint regarding the policy or explanatory or advertising material, the English language version of the policy or explanatory or advertising material controls the resolution of the dispute or complaint.

LD 630 An Act To Clarify the Requirements for Notice of the Right To Cure a Mortgage Default PUBLIC 36

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHITTEMORE STETKIS	OTP-AM	S-18

This bill requires that the notice of a consumer's right to cure a mortgage default include a statement that the amount due stated in the notice does not include any amounts that become due after the date of the notice. It also provides an alternative to the date by which a mortgagee must provide information to the Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection of three days after the expiration of the right-to-cure period.

Committee Amendment "A" (S-18)

This amendment removes the section of the bill that proposes to provide an alternative to the date by which a mortgagee must provide information to the Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection of three days after the expiration of the right-to-cure period.

Enacted Law Summary

Public Law 2015, chapter 36 requires that the notice of a consumer's right to cure a mortgage default include a statement that the amount due stated in the notice does not include any amounts that become due after the date of the notice.

LD 636 An Act To Provide Consumers of Health Care with Information Regarding Health Care Costs PUBLIC 260

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DILL SANBORN	OTP-AM	S-74

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LD 705 An Act Relating to Insurance Licensing

PUBLIC 49

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BECK WHITTEMORE	OTP	

This bill proposes several changes to Maine law relating to the licensing of insurance producers, consultants and adjusters. The bill requires that biennial resident insurance consultant fees be due at the same time as the biennial continuing education requirement is due. It adds a provision for insurance adjusters that allows those individuals who live in a state that does not license adjusters to obtain reciprocal licensing based on their qualifications in another state. This bill requires producers to keep both their contact information up to date, including their e-mail address, in the records of the Department of Professional and Financial Regulation, Bureau of Insurance.

Enacted Law Summary

Public Law 2015, chapter 49 makes several changes to Maine law relating to the licensing of insurance producers, consultants and adjusters.

1. The law requires that biennial resident insurance consultant fees be due at the same time as the biennial continuing education requirement is due.
2. The law adds a provision for insurance adjusters that allows those individuals who live in a state that does not license adjusters to obtain reciprocal licensing based on their qualifications in another state.
3. The law requires producers to keep both their contact information up to date, including their e-mail address, in the records of the Department of Professional and Financial Regulation, Bureau of Insurance.

LD 738 An Act To Increase Minimum Motor Vehicle Insurance Coverage

ONTP

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

This bill increases the required minimum motor vehicle insurance coverage to \$100,000 for damage to property and for injury to or death of any one person and to \$300,000 for an accident resulting in injury to or death of more than one person.

LD 810 An Act To Allow the Synchronization of Prescriptions

PUBLIC 93

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING CHACE	OTP-AM	S-57

This bill requires health insurance carriers that provide prescription drug coverage as part of a health plan to allow prescriptions to be dispensed by a pharmacist for less than a 30-day supply if it is in the best interest of the patient.

Committee Amendment "A" (S-57)

This amendment retains the provision of the bill that requires health insurance carriers that provide prescription

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drug coverage as part of a health plan to allow prescriptions to be dispensed by a pharmacist for less than a 30-day supply if it is in the best interest of the patient, but excludes prescriptions for solid oral doses of antibiotics and solid oral doses dispensed in their original container.

The amendment makes the change apply to all policies and contracts issued or renewed on or after January 1, 2016.

Enacted Law Summary

Public Law 2015, chapter 93 requires that, if a health plan provides coverage for prescription drugs, a carrier must allow prescriptions to be dispensed by a pharmacist for less than a 30-day supply if it is in the best interest of the patient. The law excludes prescriptions for solid oral doses of antibiotics and solid oral doses dispensed in their original container from the requirement.

The law makes the change apply to all policies and contracts issued or renewed on or after January 1, 2016.

LD 813 An Act To Ensure That Hospitals Comply with the Laws Governing ONTP
Transparency of Medical Billing

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRATWICK KRUGER	ONTP	

This bill establishes penalties for hospitals, ambulatory surgical centers and other health care entities that fail to comply with the laws related to disclosure of charges for health care services.

LD 815 An Act To Establish a Unified-payor, Universal Health Care System Accepted Majority
(ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRATWICK SANBORN	ONTP OTP-AM	

Part A of the bill establishes the Maine Health Benefit Marketplace as the State's health benefit exchange as authorized by the federal Patient Protection and Affordable Care Act to facilitate the purchase of health care coverage by individuals and small businesses. The Maine Health Benefit Marketplace is established within the Department of Professional and Financial Regulation. The bill requires coverage to be available through the state-based marketplace no later than January 1, 2017 and requires the Executive Director of the Maine Health Benefit Marketplace to submit a declaration of intent to establish a state-based exchange under federal law to the federal Department of Health and Human Services no later than November 18, 2015. The bill also requires the executive director to submit applications for any available federal grant funding to support planning and implementation of the exchange as soon as practicable.

Part B of the bill establishes the Maine Health Care Plan to provide security through high-quality, affordable health care for the people of the State. The plan will become effective and binding on the State upon the approval of a waiver from the United States Department of Health and Human Services. All residents and nonresidents who maintain significant contact with the State are eligible for covered health care services through the Maine Health Care Plan. The Maine Health Care Plan must conform to the minimum essential benefits required under federal law, but may require additional benefits within existing resources. Health care services under the Maine Health Care Plan are provided by participating providers in organized delivery systems and through the open plan, which is available to all providers. It establishes the Maine Health Care

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Agency to administer and oversee the Maine Health Care Plan, to act under the direction of the Maine Health Care Council and to administer and oversee the Maine Health Care Trust Fund. The Maine Health Care Council is the decision-making and directing council for the agency and is composed of five full-time appointees.

Part B also directs the Maine Health Care Agency to establish programs to ensure quality, affordability, efficiency of care and health care planning. The agency health care planning program includes the establishment of global budgets for health care expenditures for the State and for institutions and hospitals. The health care planning program also encompasses the certificate of need responsibilities of the agency pursuant to the Maine Revised Statutes, Title 22, chapter 103-A. Part B contains a directive to the State Controller to advance \$600,000 to the Maine Health Care Trust Fund. This amount must be repaid by the Maine Health Care Agency by June 30, 2020.

Part C of the bill establishes the Maine Health Care Plan Transition Advisory Committee. Composed of 20 members, appointed by the Governor, President of the Senate and Speaker of the House of Representatives and subject to confirmation by the Legislature, the committee is charged with holding public hearings, soliciting public comments and advising the Maine Health Care Council on the transition from the current health care system to the Maine Health Care Plan. Members of the committee serve without compensation but may be reimbursed for their expenses. The committee is directed to report to the Governor and to the Legislature every six months beginning July 1, 2019. The committee completes its work when the Maine Health Care Plan becomes effective.

Part D of the bill establishes the salaries of the members of the Maine Health Care Council and the executive director of the Maine Health Care Agency.

Part E of the bill prohibits the sale on the commercial market of health insurance policies and contracts that duplicate the coverage provided by the Maine Health Care Plan. It allows the sale of health care policies and contracts that do not duplicate and are supplemental to the coverage of the Maine Health Care Plan.

Part F of the bill directs the Maine Health Care Agency to submit two financing plans to the Legislature by January 15, 2018. Part F also directs the Maine Health Care Agency to ensure employment retraining for administrative workers employed by insurers and providers who are displaced by the transition to the Maine Health Care Plan. It directs the Maine Health Care Agency to study the delivery and financing of long-term care services to plan members. Consultation is required with the Maine Health Care Plan Transition Advisory Committee, representatives of consumers and potential consumers of long-term care services and representatives of providers of long-term care services, employers, employees and the public. A report by the agency to the Legislature is due January 1, 2020.

Part G clarifies that throughout the Maine Revised Statutes, the words "payer" and "payor" have the same meaning.

Committee Amendment "A" (S-69)

This amendment is the minority report of the committee. The amendment adds language to require that the Maine Health Care Plan established in the bill reflect human rights principles in its development.

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LD 863 An Act To Update Professional Liability Insurance Reporting to the ONTP
Bureau of Insurance

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHITTEMORE FARRIN	ONTP	

This bill makes changes to the laws governing liability claims reports under the Maine Health Security Act. The bill continues the requirement that reports of disposition of claims against a health care provider must be forwarded by the Bureau of Insurance to the department or board that regulates the health care provider, but removes the requirement that reports of claims against a health care provider must be forwarded to the department or board that regulates the health care provider.

LD 865 An Act To Protect Vision Care Patients and Providers PUBLIC 171

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHITTEMORE FREDETTE	OTP-AM	S-114

This bill establishes standards relating to agreements between an insurer and a vision care provider related to insurance coverage for vision care.

Committee Amendment "A" (S-114)

This amendment replaces the bill. The amendment prohibits a carrier, as defined in the Maine Revised Statutes, Title 24-A, section 4301-A, subsection 3, or a subsidiary or subcontractor of a carrier from engaging in the following practices with regard to agreements with eye care providers:

1. Requiring that the eye care provider provide services or materials to an enrollee in a health plan that provides coverage for vision care or eye care services or a limited benefit vision insurance plan at a specified or limited fee unless the services or materials are a covered service or a covered material under the health plan or limited benefit vision insurance plan;
2. Restricting or limiting the eye care provider's choice of sources and suppliers of services or materials provided by the eye care provider to an enrollee or the optical laboratories used by the eye care provider;
3. Changing any term, contractual discount or reimbursement rate without notice to the eye care provider at least 60 days before the change is implemented;
4. Requiring that the eye care provider participate in other vision insurance as a condition of joining an insurer's provider network for a health plan that provides coverage for vision care or eye care services or a limited benefit vision insurance plan; or
5. Entering into any agreement that is longer than two years.

The amendment stipulates that the provisions apply to contracts between an eye care provider and a carrier or a subsidiary or subcontractor of a carrier executed or renewed on or after January 1, 2016.

Enacted Law Summary

Public Law 2015, chapter 171 prohibits a carrier, as defined in the Maine Revised Statutes, Title 24-A, section

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4301-A, subsection 3, or a subsidiary or subcontractor of a carrier from engaging in the following practices with regard to agreements with eye care providers:

1. Requiring that the eye care provider provide services or materials to an enrollee in a health plan that provides coverage for vision care or eye care services or a limited benefit vision insurance plan at a specified or limited fee unless the services or materials are a covered service or a covered material under the health plan or limited benefit vision insurance plan;
2. Restricting or limiting the eye care provider's choice of sources and suppliers of services or materials provided by the eye care provider to an enrollee or the optical laboratories used by the eye care provider;
3. Changing any term, contractual discount or reimbursement rate without notice to the eye care provider at least 60 days before the change is implemented;
4. Requiring that the eye care provider participate in other vision insurance as a condition of joining an insurer's provider network for a health plan that provides coverage for vision care or eye care services or a limited benefit vision insurance plan; or
5. Entering into any agreement that is longer than two years.

Public Law 2015, chapter 171 stipulates that the provisions apply to contracts between an eye care provider and a carrier or a subsidiary or subcontractor of a carrier executed or renewed on or after January 1, 2016.

LD 889 An Act To Protect Maine's Small Businesses from High Interest Rates on Commercial and Business Loans CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BECK KATZ		

This bill caps the interest rate for commercial or business loans at 25 percent per year. The bill provides that violations are subject to criminal penalties of up to \$5,000 or imprisonment for not more than one year or both. The bill also allows a court to void a loan issued in violation of the interest rate caps upon the petition of the person to whom the loan was issued.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 919 An Act To Provide Access to Opioid Analgesics with Abuse-deterrent Properties PUBLIC 371

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HOBBINS	OTP-AM	H-159

This bill requires all health insurance carriers offering individual and group health plans to provide coverage for abuse-deterrent opioid analgesic drug products as preferred drugs on any formulary, preferred drug list or other list of drugs used by the carrier. The bill applies to all policies and contracts issued or renewed on or after January 1, 2016.

Committee Amendment "A" (H-159)

This amendment requires all health insurance carriers offering individual and group health plans to provide

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coverage for abuse-deterrent opioid analgesic drug products on a basis not less favorable than that for other opioid analgesic drug products, instead of other prescription drugs as specified in the bill, on any formulary, preferred drug list or other list of drugs used by the carrier. The amendment removes the prior authorization requirements specified in the bill.

Enacted Law Summary

Public Law 2015, chapter 371 requires health insurance carriers offering individual and group health plans to provide coverage for abuse-deterrent opioid analgesic drug products on a basis not less favorable than that for other opioid analgesic drug products on any formulary, preferred drug list or other list of drugs used by the carrier.

Public Law 2015, chapter 371 applies to all policies and contracts issued or renewed on or after January 1, 2016.

LD 943 An Act To Provide Access to Infertility Treatment ONTP

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

This bill requires that health insurance policies include coverage for the treatment of infertility if:

1. The covered individual is married;
2. The covered individual's infertility is not the result of a sexually transmitted disease; and
3. The number of embryos implanted does not exceed the number set forth in rules adopted by the Department of Professional and Financial Regulation, Bureau of Insurance.

Under this bill, a policy that provides such coverage may require a 50 percent or lower copayment by the insured.

This bill applies to all policies in effect on or after January 1, 2016.

LD 944 An Act Regarding Recovery of Emergency Response Costs Related to an OUI Offense CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THIBODEAU WALLACE		

This bill makes a person who, while criminally operating a motor vehicle while intoxicated, proximately causes an incident requiring an emergency response liable for the costs of that response up to an amount of \$2,500.

This bill was re-referred from the Joint Standing Committee on Criminal Justice and Public Safety and was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

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LD 954 An Act To Amend the Maine Property Insurance Cancellation Control Laws

PUBLIC 69

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WALLACE BAKER	OTP ONTP	

This bill amends the Maine Insurance Code to provide that an insurer may cancel a property insurance policy for violation of terms or conditions of the policy.

Enacted Law Summary

Public Law 2015, chapter 69 amends the Maine Insurance Code to provide that an insurer may cancel a property insurance policy for violation of terms or conditions of the policy.

LD 958 An Act To Amend the Laws Relating to Group Trusts Established by Self-insurers of Workers' Compensation Benefits

PUBLIC 59

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHITTEMORE BECK	OTP	

This bill modifies the acceptable investments and diversification requirements for workers' compensation self-insurance trusts, providing for the portfolio to contain up to 40 percent in bonds issued or generated by United States government agencies, while decreasing the permissible percentage of corporate or municipal bonds.

Enacted Law Summary

Public Law 2015, chapter 59 modifies the acceptable investments and diversification requirements for workers' compensation self-insurance trusts, providing for the portfolio to contain up to 40 percent in bonds issued or generated by United States government agencies, while decreasing the permissible percentage of corporate or municipal bonds.

LD 975 An Act Regarding Travel Insurance in the Maine Insurance Code

PUBLIC 133

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BECK BAKER	OTP-AM ONTP	H-119

This bill establishes a limited lines travel insurance license under the Maine Insurance Code. The bill regulates the practice of providing travel insurance to consumers in the State and sets out the requirements for allowing a travel retailer to offer and disseminate travel insurance.

Committee Amendment "A" (H-119)

This amendment replaces the bill. The amendment establishes a supervising travel insurance producer license under the Maine Insurance Code. Like the bill, the amendment regulates the practice of providing travel insurance to consumers in the State and sets out the requirements for allowing a travel retailer to offer and disseminate travel insurance.

Enacted Law Summary

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Public Law 2015, chapter 133 establishes a supervising travel insurance producer license under the Maine Insurance Code. The law regulates the practice of providing travel insurance to consumers in the State and sets out the requirements for allowing a travel retailer to offer and disseminate travel insurance.

LD 978 An Act To Promote Patient Choice and Access to Health Care

PUBLIC 111

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOORE	OTP-AM	H-118

This bill prohibits a health insurance carrier from refusing to reimburse a provider for providing a health care service or procedure covered under a health plan as long as the provider is acting within the lawful scope of that provider's license, registration or certification in the delivery of the covered service or procedure. The bill also prohibits a carrier from creating or using a provider-specific billing code or policy not listed in a nationally recognized coding system or from discriminating in its benefit design to circumvent the requirement.

Committee Amendment "A" (H-118)

This amendment replaces the bill. The amendment prohibits health insurance carriers offering individual and group health plans from refusing to reimburse for services provided by a chiropractor acting within the scope of the chiropractor's license if the services are covered by the carrier and the chiropractor participates in the carrier's provider network. The amendment applies to all policies and contracts issued or renewed on or after January 1, 2016.

Enacted Law Summary

Public Law 2015, chapter 111 prohibits health insurance carriers offering individual and group health plans from refusing to reimburse for services provided by a chiropractor acting within the scope of the chiropractor's license if the services are covered by the carrier and the chiropractor participates in the carrier's provider network.

The law applies to all policies and contracts issued or renewed on or after January 1, 2016.

LD 1092 An Act To Prevent Abusive Debt Collection Practices

PUBLIC 272

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COOPER LIBBY	OTP-AM	H-378

This bill amends the Maine Fair Debt Collection Practices Act to provide protection to debtors with regard to collection actions by debt buyers. The bill provides that a debt may not be collected if a debt buyer violates the Act. A debt buyer may not collect on a debt without providing specified information that includes the name of the original creditor and all intervening creditors, as well as the sources of added fees and interest. The information must be included in the complaint to initiate the cause of action to collect the debt.

The bill establishes a three year statute of limitations that replaces all other limitations unless the existing limitations is a shorter period.

Committee Amendment "A" (H-378)

This amendment replaces the bill. This amendment requires any payment agreement entered into with a debt collector to be documented in open court, approved by the court and included in a court order or otherwise reduced to writing. The amendment prohibits a debt collector from suing on a debt if the statute of limitations period has

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expired and provides that a consumer's payment or other activity on a debt that is made after the expiration of the statute of limitations period does not reset the statute of limitations period.

Enacted Law Summary

Public Law 2015, chapter 272 requires any payment agreement entered into with a debt collector to be documented in open court, approved by the court and included in a court order or otherwise reduced to writing. The law also prohibits a debt collector from suing on a debt if the statute of limitations period has expired and provides that a consumer's payment or other activity on a debt that is made after the expiration of the statute of limitations period does not reset the statute of limitations period.

LD 1150 An Act Regarding Maximum Allowable Cost Pricing Lists Used by Pharmacy Benefit Managers CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROOKS WHITTEMORE	OTP-AM ONTP	

This bill establishes requirements for maximum allowable cost pricing lists used by pharmacy benefits managers and requires pharmacy benefits managers to make disclosures regarding that pricing and the methods used to establish that pricing to plan sponsors. It establishes an appeal process for pharmacies for disputes relating to maximum allowable cost pricing. The bill also provides for financial penalties for violations.

Committee Amendment "A" (H-183)

This amendment is the majority report of the committee. The amendment provides that a pharmacy benefits manager may set a maximum allowable cost for a prescription drug only if that drug is nationally available and has two or more nationally available therapeutically equivalent drug substitutes with a significant cost difference rather than three or more as provided in the bill. The amendment also replaces the provision in the bill authorizing the Superintendent of Insurance to enforce violations with a provision granting a pharmacy the right to request mediation by a private mediator to resolve disagreements related to maximum allowable cost pricing.

The amendment specifies that the provisions apply to contracts between a pharmacy and a pharmacy benefits manager executed or renewed on or after January 1, 2016.

This bill was reported out of committee, then committed back to the Joint Standing Committee on Insurance and Financial Services and was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 1242 An Act To Protect Maine Consumers from Medical Identity Theft Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRATWICK COOPER	ONTP OTP-AM	

This bill directs an insurance carrier that provides insurance in the State to take certain measures to protect the data and identity of a person insured by the carrier on or after January 1, 2004, including encrypting all medical and personal data of the insured, providing medical identify theft protection and a guarantee of recompense for 10 years following the breach, aligning all policies with a national medical fraud alliance approved by the Department of Professional and Financial Regulation, Bureau of Insurance and requiring all carriers to develop and implement a policy approved by the bureau that ensures strict adherence to the compliance rules under the federal Health

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Insurance Portability and Accountability Act of 1996.

Committee Amendment "A" (S-88)

This amendment is the minority report of the committee and replaces the bill with a resolve. This amendment directs the Department of Professional and Financial Regulation, Bureau of Insurance to monitor the development of cybersecurity standards for insurance companies by the National Association of Insurance Commissioners and consult with the Joint Standing Committee on Insurance and Financial Services about the legislative and regulatory activities in other states related to cybersecurity for insurance companies to protect against security breaches involving personal information and health care information collected by or in the possession of insurance companies. The amendment also authorizes the committee to report out a bill to the Second Regular Session of the 127th Legislature.

LD 1264 An Act To Transfer Oversight of the Maine Quality Forum to the Maine Health Data Organization ONTP

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

This bill transfers responsibility for the Maine Quality Forum from Dirigo Health to the Maine Health Data Organization effective July 1, 2015. The bill also transfers two positions authorized for staffing the Maine Quality Forum to the Maine Health Data Organization.

This bill is proposed by the Joint Standing Committee on Insurance and Financial Services pursuant to Joint Order 2015, H.P. 585. The Joint Standing Committee on Insurance and Financial Services has not taken a position on the substance of the bill, and by reporting out this bill the committee is not suggesting and does not intend to suggest that it agrees or disagrees with any aspect of this bill. The Joint Standing Committee on Insurance and Financial Services is reporting the bill out for the sole purpose of turning the proposal into a printed bill that can be referred to the Joint Standing Committee on Insurance and Financial Services for an appropriate public hearing and subsequent processing in the normal course. The Joint Standing Committee on Insurance and Financial Services is taking this action to ensure clarity and transparency in the legislative review of this proposal.

LD 1265 An Act To Implement the Recommendations of the Maine Health Exchange Advisory Committee ONTP

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

This bill proposes to implement the recommendations of the Maine Health Exchange Advisory Committee pursuant to Joint Order 2013, House Paper 1136. The bill establishes the Maine Health Exchange Advisory Committee on a permanent basis.

The Joint Standing Committee on Insurance and Financial Services has not taken a position on the substance of the recommendations or the bill, and by reporting out this bill the committee is not suggesting and does not intend to suggest that it agrees or disagrees with any aspect of the advisory committee's recommendations or this bill. The Joint Standing Committee on Insurance and Financial Services is reporting out the bill for the sole purpose of turning the advisory committee's proposal into a printed bill that can be referred to the Joint Standing Committee on Insurance and Financial Services for an appropriate public hearing and subsequent processing in the normal course. The Joint Standing Committee on Insurance and Financial Services is taking this action to ensure clarity and transparency in the legislative review of the advisory committee's proposal.

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While LD 1265 was voted "Ought Not to Pass," the Maine Health Exchange Advisory Committee was re-established for the duration of the 127th Legislature by joint order, S.P. 533.

**LD 1304 An Act To Permit Funds for Prearranged Funerals To Be Invested under
a Wider Range of Options**

**Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHITTEMORE	ONTP OTP-AM	

Current law permits funds held in prearranged funeral and burial plans to be invested in certain listed permissible investment categories. This bill expands those options by permitting these funds to be invested in the same categories of investments that are authorized under the Maine Revised Statutes, Title 39-A, section 403, subsection 9 as permissible investments for trust funds for self-insurers under the laws governing workers' compensation.

Committee Amendment "A" (S-108)

This amendment is the minority report of the committee. This amendment replaces the bill and changes it into a resolve. The amendment establishes a task force to study expanding the permissible investments for prearranged funeral funds. The task force comprises 11 members, including six Legislators, representatives of independently owned and corporate-owned funeral homes, financial institutions and credit unions and a financial advisor. The amendment requires the task force to report back to the Legislature before the Second Regular Session of the 127th Legislature. The Joint Standing Committee on Insurance and Financial Services may report out a bill based on the task force's recommendations.

**LD 1305 An Act To Encourage Health Insurance Consumers To Comparison
Shop for Health Care Procedures and Treatment**

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHITTEMORE BECK		

This bill requires a health care entity to provide an estimate of the allowed amount if the entity is within a patient's carrier network or the amount that will be charged if the entity does not participate in a patient's carrier network for a proposed admission, procedure or service within two business days of a patient's request and to assist a patient in using a carrier's toll-free telephone number and publicly accessible website to obtain information about the out-of-pocket costs for which a patient will be responsible.

The bill requires health insurance carriers to establish a toll-free telephone number and publicly accessible website to provide information to enrollees about health care costs. A carrier is required to provide information on the average price paid in the past 12 months to a network health care provider for a proposed admission, procedure or service in each geographic rating area established by the carrier and to provide a binding estimate for the maximum allowed amount or charge for a proposed admission, procedure or service and the estimated amount the enrollee will be responsible to pay for a proposed admission, procedure or service that is a medically necessary covered benefit.

The bill also requires a carrier to pay an enrollee 50 percent of the saved cost to a maximum of \$7,500 if an enrollee elects to receive health care services from a provider that cost less than the average cost for a particular admission, procedure or service unless the savings is \$50 or less. If an enrollee elects to receive health care services from an out-of-network provider that cost less than the average amount for a particular admission, procedure or service, a carrier shall apply the enrollee's share of the cost toward the enrollee's member cost sharing as if the health care services were provided by a network provider.

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This amendment directs the Governor or the Governor's designee to interact with and cooperate with the Federal Government with respect to the State's health benefit exchange and authorizes the Governor or the Governor's designee to enter into any agreements for the performance of the technical functions of the exchange by the Federal Government.

The amendment clarifies that the State may not appropriate or allocate any funds other than federal funds for the costs of providing subsidies to individuals purchasing health insurance coverage through the exchange.

The amendment adds a repeal provision that would repeal authorization for the state-based exchange if the Federal Government notifies the State that advanced premium tax credits will become available to individuals purchasing health insurance coverage through a federally facilitated marketplace established pursuant to the federal Patient Protection and Affordable Care Act.

The amendment also adds an emergency preamble and emergency clause.

This bill was indefinitely postponed following the recent United States Supreme Court decision in *King v. Burwell* upholding the availability of advanced premium tax credits to individuals purchasing health insurance coverage through a federally facilitated market place.

LD 1379 An Act To Establish Transportation Network Company Insurance

**PUBLIC 279
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BECK	OTP-AM	H-397

This bill establishes requirements for insurance coverage relating to the operation of transportation network companies in the State, which are companies that provide prearranged transportation services for compensation using a digital network to connect a passenger with a driver using a personal vehicle.

Committee Amendment "A" (H-397)

This amendment creates a permitting process for transportation network companies to provide transportation services, establishes requirements for drivers providing transportation services on behalf of transportation network companies, establishes minimum motor vehicle liability insurance requirements for transportation network companies and drivers and prohibits municipalities from regulating transportation network companies and drivers.

The amendment also adds an emergency preamble and emergency clause to the bill.

Enacted Law Summary

Public Law 2015, chapter 279 establishes requirements relating to the operation of transportation network companies in the State, which are companies that provide prearranged transportation services for compensation using a digital network to connect a passenger with a driver using a personal vehicle. The law creates a permitting process for transportation network companies to provide transportation services, establishes requirements for drivers providing transportation services on behalf of transportation network companies, establishes minimum motor vehicle liability insurance requirements for transportation network companies and drivers and prohibits municipalities from regulating transportation network companies and drivers.

Public Law 2015, chapter 279 was enacted as an emergency measure effective June 30, 2015.

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SUBJECT INDEX

Banking and Credit Unions

Not Enacted

LD 24	An Act To Create a Public State Bank	Majority (ONTP) Report
LD 889	An Act To Protect Maine's Small Businesses from High Interest Rates on Commercial and Business Loans	CARRIED OVER

Consumer Credit

Enacted

LD 382	An Act To Eliminate Certain Fees for Security Freezes and Allow Security Freezes for Minors	PUBLIC 139
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Dirigo Health

Not Enacted

LD 1264	An Act To Transfer Oversight of the Maine Quality Forum to the Maine Health Data Organization	ONTP
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Insurance, Health

Enacted

LD 124	An Act To Require Payment by a Carrier for Health Care Services Provided to Enrollees of the Carrier	PUBLIC 84
LD 359	An Act To Assist Persons with Breast Cancer	PUBLIC 227
LD 572	An Act To Ensure Appropriate Health Insurance Coverage for Prescription Eye Drops	PUBLIC 91
LD 636	An Act To Provide Consumers of Health Care with Information Regarding Health Care Costs	PUBLIC 260
LD 810	An Act To Allow the Synchronization of Prescriptions	PUBLIC 93
LD 865	An Act To Protect Vision Care Patients and Providers	PUBLIC 171
LD 919	An Act To Provide Access to Opioid Analgesics with Abuse-deterrent Properties	PUBLIC 371
LD 978	An Act To Promote Patient Choice and Access to Health Care	PUBLIC 111

Not Enacted

LD 135	An Act To Reduce Tobacco Use Surcharges in Small Group and Individual Health Insurance Products	Veto Sustained
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LD 243	An Act To Restore Consumer Rate Review for Health Insurance Plans in the Individual Market	Died Between Houses
LD 251	An Act To Limit Allowable Health Care Charges in Certain Specified Situations	Minority (ONTP) Report
LD 289	An Act To Amend the Health Plan Improvement Law Regarding Prescription Drug Step Therapy	Veto Sustained
LD 347	An Act Concerning Billing between Emergency Medical Services Providers and Insurance Companies	Majority (ONTP) Report
LD 384	Resolve, To Study the Design and Implementation of Options for a Universal Health Care Plan in the State That Is in Compliance with the Federal Patient Protection and Affordable Care Act	Veto Sustained
LD 704	An Act Regarding Notice Provided by Insurance Carriers to Health Care Providers	CARRIED OVER
LD 815	An Act To Establish a Unified-payor, Universal Health Care System	Majority (ONTP) Report
LD 943	An Act To Provide Access to Infertility Treatment	ONTP
LD 1150	An Act Regarding Maximum Allowable Cost Pricing Lists Used by Pharmacy Benefit Managers	CARRIED OVER
LD 1242	An Act To Protect Maine Consumers from Medical Identity Theft	Majority (ONTP) Report
LD 1265	An Act To Implement the Recommendations of the Maine Health Exchange Advisory Committee	ONTP
LD 1305	An Act To Encourage Health Insurance Consumers To Comparison Shop for Health Care Procedures and Treatment	CARRIED OVER
LD 1344	An Act To Protect Maine Consumers in the Individual Health Insurance Market and Support Maine's Economy	INDEF PP

Insurance, Motor Vehicle

Not Enacted

LD 738	An Act To Increase Minimum Motor Vehicle Insurance Coverage	ONTP
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Insurance, Regulation and Practices

Enacted

LD 220	An Act To Require Proper Notification of Life Insurance Cancellation	PUBLIC 61 EMERGENCY
LD 329	An Act To Allow Equipment Rental Companies To Sell Insurance	PUBLIC 77
LD 705	An Act Relating to Insurance Licensing	PUBLIC 49
LD 954	An Act To Amend the Maine Property Insurance Cancellation Control Laws	PUBLIC 69
LD 975	An Act Regarding Travel Insurance in the Maine Insurance Code	PUBLIC 133

LD 1379 An Act To Establish Transportation Network Company Insurance PUBLIC 279
EMERGENCY

Not Enacted

LD 449 An Act Regarding the Payment of Commissions by Car Rental Companies ONTP
LD 481 An Act To Amend the Eligibility Requirements for the Rural Medical Access Program ONTP
LD 569 An Act To Reduce Municipal Liability outside Federally Declared Flood Zones ONTP
LD 621 An Act To Improve Access to Insurance Coverage for Persons for Whom English Is a Second Language ONTP
LD 863 An Act To Update Professional Liability Insurance Reporting to the Bureau of Insurance ONTP
LD 944 An Act Regarding Recovery of Emergency Response Costs Related to an OUI Offense CARRIED OVER

Insurance, Workers' Compensation

Enacted

LD 958 An Act To Amend the Laws Relating to Group Trusts Established by Self-insurers of Workers' Compensation Benefits PUBLIC 59

Miscellaneous

Enacted

LD 337 An Act To Require Lienholders To Remove Liens Once Satisfied PUBLIC 210
LD 521 An Act To Amend the Health Care Practitioner Transparency Requirements PUBLIC 35
LD 1092 An Act To Prevent Abusive Debt Collection Practices PUBLIC 272

Not Enacted

LD 144 Resolve, To Study State and Federal Laws Regarding Online Privacy and Data Security To Develop Ways To Further Protect Consumers from Identity Theft and Fraud Died On
Adjournment
LD 455 An Act To Prohibit Deceptive Practices Regarding Negotiable Instruments Veto Sustained
LD 813 An Act To Ensure That Hospitals Comply with the Laws Governing Transparency of Medical Billing ONTP
LD 1304 An Act To Permit Funds for Prearranged Funerals To Be Invested under a Wider Range of Options Majority (ONTP)
Report
LD 1318 An Act To Promote Individual Private Savings Accounts through a Public-private Partnership CARRIED OVER

Mortgage Lending

Enacted

LD 630	An Act To Clarify the Requirements for Notice of the Right To Cure a Mortgage Default	PUBLIC 36
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Not Enacted

LD 336	Resolve, Directing the Finance Authority of Maine To Convene a Stakeholder Group To Develop Solutions To Reduce the Negative Effect of Student Loan Debt on Home Ownership	Died Between Houses
LD 643	An Act To Protect Veterans Returning from Active Duty from Losing Their Homes	ONTP

STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON INLAND FISHERIES
AND WILDLIFE**

August 2015

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SEN. SCOTT W. CYRWAY
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Joint Standing Committee on Inland Fisheries and Wildlife

**LD 22 An Act Regarding the Removal of Moorings and Floating Docks in
Great Ponds During Ice-in Conditions**

PUBLIC 105

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHAW GERZOFSKY	OTP-AM	H-34 H-137 SHAW

This bill requires the removal of mooring equipment protruding above the surface of great ponds on or before December 1st of each year.

Committee Amendment "A" (H-34)

This amendment replaces the bill and authorizes a harbor master, a code enforcement officer or a board of county commissioners to direct the owner of a boat to remove that person's mooring or floating dock from a great pond if the harbor master, code enforcement officer or board of county commissioners determines that leaving the mooring or floating dock in during ice-in conditions would create a public safety hazard. It also states that a harbor master, code enforcement officer or board of county commissioners does not have the authority to direct the removal of a federally owned or state-owned mooring or floating dock.

House Amendment "A" To Committee Amendment "A" (H-137)

This amendment removes the provision in Committee Amendment "A" regarding the authority of a harbor master, code enforcement officer or board of county commissioners to direct the removal of a federally owned or state-owned mooring or floating dock.

Enacted Law Summary

Public Law 2015, chapter 105 authorizes a harbor master, a code enforcement officer or a board of county commissioners to direct the owner of a boat to remove that person's mooring or floating dock from a great pond if the harbor master, code enforcement officer or board of county commissioners determines that leaving the mooring or floating dock in during ice-in conditions would create a public safety hazard.

**LD 88 An Act To Authorize Snowmobile Registration Reciprocity with the
Provinces of New Brunswick and Quebec**

PUBLIC 130

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN R PATRICK	OTP	

This bill extends the reciprocity provision in current law allowing for operation in the State of snowmobiles registered in other states to the Canadian provinces of New Brunswick and Quebec.

Enacted Law Summary

Public Law 2015, chapter 130 extends the reciprocity provision in current law allowing for operation in the State of snowmobiles registered in other states to the Canadian provinces of New Brunswick and Quebec.

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LD 126 An Act To Restrict Swim Areas

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHAW DUTREMBLE		

This bill provides that the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry may not issue a permit for a swim area the length of which, measured parallel to the shore, is more than 50 percent of the length of the shore frontage of the property from which the swim area extends or 200 feet, whichever is greater.

This bill was not referred to a committee.

LD 134 Resolve, To Study the Impact of Winter Ticks on the State's Moose Population

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN R EDGECOMB P	OTP ONTP	

This resolve directs the Department of Inland Fisheries and Wildlife to conduct a study of the impact of winter ticks on the State's moose population, including identifying any problems for the moose population created by the ticks and recommending possible courses of action, if any, to address those problems.

LD 142 An Act To Expand Deer Hunting Opportunities for Junior Hunters

PUBLIC 219

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HILLIARD	OTP-AM ONTP	H-273

This bill allows an adult holder of an antlerless deer permit to transfer that permit to a holder of a junior hunting license if the holder of the junior hunting license takes an antlerless deer while in the presence or under the supervision of the antlerless deer permit holder. Once the permit is transferred, the adult antlerless deer permit holder loses the right to take an antlerless deer under that permit.

Committee Amendment "A" (H-273)

This amendment, which is the majority report of the committee, replaces the bill. It provides that an antlerless deer permit holder who is 18 years of age or older may transfer the antlerless deer permit to a person who holds a junior hunting license at least 48 hours prior to the time the person holding the junior hunting license hunts for antlerless deer. Once the antlerless deer permit is transferred, the transferor loses the right to take an antlerless deer under that permit but remains eligible, unless otherwise prohibited, to take an antlered deer in accordance with the Maine Revised Statutes, Title 12, Part 13.

Enacted Law Summary

Public Law 2015, chapter 219 allows an antlerless deer permit holder who is 18 years of age or older to transfer the antlerless deer permit to a person who holds a junior hunting license at least 48 hours prior to the time the person holding the junior hunting license hunts for antlerless deer. It provides that once the antlerless deer permit is

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transferred, the transferor loses the right to take an antlerless deer under that permit but remains eligible, unless otherwise prohibited, to take an antlered deer in accordance with the Maine Revised Statutes, Title 12, Part 13.

LD 156 An Act To Eliminate the Minimum Age Requirement for a Junior Hunting License and Increase the Number of Times a Person May Hold an Apprentice Hunter License

PUBLIC 136

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HILLIARD	OTP-AM	H-105
SAVIELLO	ONTP	S-123 DAVIS

This bill lowers the eligibility age for a junior hunting license from ten years of age to eight years of age.

Committee Amendment "A" (H-105)

This amendment is the majority report of the committee and removes the minimum age requirement for a junior hunting license. This amendment also provides that the adult supervisor of the junior hunter must hold or have held a Maine hunting license or have successfully completed a hunter safety course. It also increases the number of times a person may hold an apprentice hunter license from twice to five times before becoming ineligible to purchase the license. This amendment provides an effective date of January 1, 2016.

Senate Amendment "B" To Committee Amendment "A" (S-123)

This amendment requires that hunters under 10 years of age must hold a junior hunting license and be in the presence of and under the effective control of an adult supervisor who remains at all times within 20 feet of the hunter.

Enacted Law Summary

Public Law 2015, chapter 136 removes the minimum age requirement for a person to hold a junior hunting license. It provides that hunters under 10 years of age must hold a junior hunting license and be in the presence of and under the effective control of an adult supervisor who remains at all times within 20 feet of the hunter. Chapter 136 also provides that the adult supervisor of the junior hunter must hold or have held a Maine hunting license or have successfully completed a hunter safety course.

Public Law 2015, chapter 136 increases the number of times a person may hold an apprentice hunter license from twice to five times before becoming ineligible to purchase the license.

Public Law 2015, chapter 136 has an effective date of January 1, 2016.

LD 157 An Act To Create an Advisory Committee To Review and Make Recommendations Regarding Hunting and Fishing Laws

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POULIOT DUTREMBLE	ONTP	

This bill creates the Hunting and Fishing Law Review Advisory Committee under the Department of Inland Fisheries and Wildlife to review inland fisheries and wildlife laws and rules and make recommendations to the Commissioner of Inland Fisheries and Wildlife regarding any necessary changes. It also directs the Hunting and Fishing Law Review Advisory Committee to conduct an annual survey of holders of fishing and hunting licenses on various inland fisheries and wildlife issues in the State.

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LD 158 Resolve, To Direct the Department of Inland Fisheries and Wildlife To ONTP
Modify Fishing Rules for Webster Stream in Piscataquis County

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EDGECOMB A EDGECOMB P	ONTP	

This resolve directs the Commissioner of Inland Fisheries and Wildlife to amend Department of Inland Fisheries and Wildlife Rule Chapter 1: Open Water and Ice Fishing Regulations to establish for Webster Stream in Piscataquis County from the Telos Lake dam downstream to Webster Lake a daily bag limit of one trout, one landlocked salmon and one togue effective between August 16th and September 30th annually.

LD 242 An Act To Allow Hunters To Wear Hunter Pink Instead of Hunter Accepted Majority
Orange in October in Recognition of Breast Cancer Awareness Month (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LONG	ONTP OTP	

This bill provides that during the month of October a hunter may wear pink hunter safety clothing in lieu of hunter orange clothing in recognition of Breast Cancer Awareness Month.

LD 256 An Act To Allow Nonresident College Students To Obtain Hunting, PUBLIC 226
Fishing and Trapping Licenses at the Resident Fee and with Resident
Privileges

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS	OTP-AM	S-170

This bill provides that a nonresident enrolled as a full-time student in an institution of higher education in this State is eligible for any trapping, fishing, hunting or combination fishing and hunting license or permit at the resident fee and has the same privileges as a resident of this State in regard to trapping, hunting and fishing.

Committee Amendment "A" (S-170)

This amendment replaces the bill. It provides that a nonresident student 18 years of age or older and under 24 years of age enrolled as a full-time student in an institution of higher education in this State is eligible for any hunting, fishing, trapping or combination hunting and fishing license or permit at the resident fee and has the same privileges as a resident holder of the license or permit. It also provides that the Commissioner of Inland Fisheries and Wildlife and not the commissioner's agent may issue these licenses and that each license must be stamped or otherwise identified as being issued to a nonresident student.

Enacted Law Summary

Public Law 2015, chapter 226 provides that a nonresident student 18 years of age or older and under 24 years of age enrolled as a full-time student in an institution of higher education in this State is eligible for any hunting, fishing, trapping or combination hunting and fishing license or permit at the resident fee and has the same privileges as a resident holder of the license or permit. It also provides that the Commissioner of Inland Fisheries and Wildlife and not the commissioner's agent may issue these licenses and that each license must be stamped or otherwise identified

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as being issued to a nonresident student.

LD 257 An Act To Allow a Person To Take a 20-minute Break from Monitoring Ice Fishing Lines ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS BLACK	ONTP	

This bill allows a person to leave that person's ice fishing lines unattended for up to 20 minutes every 2 hours.

LD 275 An Act To Allow the Use of a Crossbow for Recreational Target Practice within 100 Yards of a Building without the Owner's Permission PUBLIC 71

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOOD DAVIS	OTP-AM ONTP	H-61

Current law prohibits discharging a crossbow within 100 yards of a building or a residential dwelling without the permission of the owner or an authorized person. This bill removes that restriction.

Committee Amendment "A" (H-61)

This amendment, which is the majority report of the committee, replaces the bill. It allows a landowner or the landowner's invitee to discharge a crossbow for recreational target practice purposes on the landowner's property within 100 yards of a building or residential dwelling owned by another without the permission of the owner.

Enacted Law Summary

Public Law 2015, chapter 71 allows a landowner or the landowner's invitee to discharge a crossbow for recreational target practice purposes on the landowner's property within 100 yards of a building or residential dwelling owned by another without the permission of the owner.

LD 291 An Act To Allow the Hunting of Small Game Animals with a Slingshot ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING DAVITT	ONTP	

This bill allows the use of a slingshot to hunt certain small game species designated by the Commissioner of Inland Fisheries and Wildlife.

LD 296 An Act To Increase Economic Development in Rural Communities by Expanding Hunting Opportunities Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS TIMBERLAKE	ONTP OTP	

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This bill allows a person with a hunting license to hunt on Sundays during the month of November on public lands greater than 10 acres in size that are open to hunting or on private property greater than 10 acres in size with the consent of the property owner.

LD 320 An Act Regarding the Tracking of Wounded Animals with a Leashed Dog

PUBLIC 90

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLACK DAVIS	OTP-AM ONTP	H-76

This bill allows a person licensed to guide hunters to use one leashed dog outside of legal hunting hours to track and dispatch a bear wounded by the guide's client.

Committee Amendment "A" (H-76)

Current law provides for a license to use leashed dogs to track wounded animals and allows a person who holds such a license to provide dog tracking services to others for a fee without being licensed as a guide. This amendment, which is the majority report of the committee, replaces the bill and consolidates those provisions and makes the following changes.

1. It converts the license to use leashed dogs to track wounded animals from an annual license for \$27 to a 3-year permit for \$81.
2. It provides that a person must hold a big game hunting license to be eligible to obtain the permit to use a leashed dog to track a wounded animal and specifies that the permit only allows the tracking of a lawfully wounded animal.
3. It allows the permit holder to track a wounded animal outside of legal hunting hours.
4. It expressly gives the Commissioner of Inland Fisheries and Wildlife rule-making authority to regulate activities conducted pursuant to the permit.

Current law allows a licensed hunting guide to track and dispatch a client's wounded bear, deer or moose after legal hunting hours without a license to use leashed dogs to track wounded bear, deer or moose. This amendment relocates and changes that provision of law to provide that the hunting guide must obtain authorization from the Commissioner of Inland Fisheries and Wildlife to track and dispatch a client's wounded bear, deer or moose after legal hunting hours. It also specifies that a guide authorized to track a wounded bear, deer or moose may use one leashed dog for tracking purposes.

Enacted Law Summary

Public Law 2015, chapter 90 consolidates the existing laws regarding the use of leashed dogs to track wounded animals and makes the following changes.

1. It converts the license to use leashed dogs to track wounded animals from an annual license for \$27 to a 3-year permit for \$81.
2. It provides that a person must hold a big game hunting license to be eligible to obtain the permit to use a leashed dog to track a wounded animal and specifies that the permit only allows the tracking of a lawfully wounded animal.
3. It allows the permit holder to track a wounded animal outside of legal hunting hours.
4. It expressly gives the Commissioner of Inland Fisheries and Wildlife rule-making authority to regulate activities

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conducted pursuant to the permit.

Public Law 2015, chapter 90 also provides that a hunting guide must obtain authorization from the Commissioner of Inland Fisheries and Wildlife to track and dispatch a client's wounded bear, deer or moose after legal hunting hours. It specifies that a guide authorized to track a wounded bear, deer or moose may use only one leashed dog for tracking purposes. Chapter 90 relocates within the Maine Revised Statutes, Title 12, Part 13 the provisions of law regarding a licensed hunting guide's ability to use a leashed dog to track and then dispatch a client's wounded bear, deer or moose after legal hunting hours without a license to use leashed dogs to track wounded bear, deer or moose.

LD 373 An Act To Allow a Moose Permit To Be Transferred to a Family Member

PUBLIC 95

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MIRAMANT EVANGELOS	OTP-AM	S-42

This bill authorizes a person who holds a moose permit to transfer that permit to a family member and defines "family member" to mean the transferor's spouse, child, parent, grandparent, stepparent, brother, sister, half-sister, half-brother or adopted child. It also authorizes the Commissioner of Inland Fisheries and Wildlife to adopt rules to establish an administrative fee to cover costs associated with transferring moose permits.

Committee Amendment "A" (S-42)

This amendment replaces the bill. It limits the allowed transfer of a moose permit to a family member to cases determined by the Commissioner of Inland Fisheries and Wildlife to involve exceptional extenuating circumstances. It adds to the definition of "family member" in the bill the transferor's stepchild and grandchild.

Enacted Law Summary

Public Law 2015, chapter 95 authorizes a person who holds a moose permit to transfer that permit to a family member in cases determined by the Commissioner of Inland Fisheries and Wildlife to involve exceptional extenuating circumstances. It defines "family member" to mean the transferor's spouse, child, stepchild, grandchild, parent, grandparent, stepparent, brother, sister, half-sister, half-brother and adopted child.

LD 399 An Act To Establish a Youth Bear Hunting Day

**PUBLIC 79
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOOD DAVIS	OTP-AM	H-99

This bill requires the Commissioner of Inland Fisheries and Wildlife to establish by rule a youth bear hunting day on the Saturday prior to the opening of bear hunting season.

Committee Amendment "A" (H-99)

This amendment replaces the bill and adds an emergency preamble and emergency clause. It establishes a youth bear hunting day on the Saturday prior to the opening of the regular bear hunting season.

Enacted Law Summary

Public Law 2015, chapter 79 establishes a youth bear hunting day on the Saturday prior to the opening of the regular bear hunting season.

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Public Law 2015, chapter 79 was enacted as an emergency measure effective May 15, 2015.

LD 400 An Act To Continue To Permit Persons 70 Years of Age and Older To Hunt with a Crossbow

**PUBLIC 42
EMERGENCY**

Sponsor(s)

CRAFTS
DAVIS

Committee Report

OTP

Amendments Adopted

This bill allows a person 70 years of age or older to hunt with a crossbow during any open season. Until January 1, 2015, a provision of law allowed this, but included language that repealed the provision on that date. The bill enacts the substance of that provision but without the repeal language.

Enacted Law Summary

Public Law 2015, chapter 42 allows a person 70 years of age or older to hunt with a crossbow during any open season. Until January 1, 2015, a provision of law allowed this, but included language that repealed the provision on that date. Chapter 42 enacts the substance of that provision but without the repeal language.

Public Law 2015, chapter 42 was enacted as an emergency measure effective April 30, 2015.

LD 424 An Act To Allow the Use of Suppressors for Hunting Nuisance Wildlife

ONTP

Sponsor(s)

WOOD
DAVIS

Committee Report

ONTP

Amendments Adopted

This bill allows a person to use a firearm fitted or contrived with a device for deadening the sound of explosion to kill wild animals or wild turkeys that are damaging crops, orchards or property or harming domestic animals.

LD 479 An Act To Allow Hunting on Sunday with the Landowner's Written Consent

**Accepted Majority
(ONTP) Report**

Sponsor(s)

GREENWOOD
WILLETTE

Committee Report

ONTP
OTP

Amendments Adopted

This bill allows a person to possess hunting equipment on Sunday on a landowner's property if the person possessing the equipment has the landowner's written consent to hunt on that property. The bill also allows hunting on a landowner's property on Sunday with the landowner's written consent.

LD 480 An Act To Allow Condominium and Homeowners Associations To Establish Swim Areas

**Died Between
Houses**

Sponsor(s)

POWERS

Committee Report

Amendments Adopted

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This bill allows homeowners associations, unit owners associations and condominium owners associations to be issued a permit by the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry to establish developed swim areas.

This bill was not referred to a committee.

LD 561 An Act To Recognize the Registrations of Snowmobiles and All-terrain Vehicles Owned by Residents of a State That Borders Maine ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PETERSON PATRICK	ONTP	

This bill allows for reciprocity of snowmobiles and all-terrain vehicle registrations with New Hampshire.

LD 570 An Act To Authorize the Commissioner of Inland Fisheries and Wildlife To Postpone or Cancel an Open Hunting Season PUBLIC 57

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOOD DAVIS	OTP	H-89 SHAW

This bill authorizes the Commissioner of Inland Fisheries and Wildlife to postpone or cancel an open hunting season if, based on principles of sound scientific wildlife management, it is necessary for wildlife conservation purposes.

House Amendment "A" (H-89)

This amendment clarifies the reasons for which the Commissioner of Inland Fisheries and Wildlife may postpone or cancel an open hunting season. Unlike the bill, which authorized the commissioner to postpone the season if "necessary for wildlife conservation purposes," this amendment specifies that the commissioner may postpone the season if the commissioner has concerns regarding disease, weather conditions, reduction in population or other unforeseen factors that may prevent publicly derived management goals from being met.

Enacted Law Summary

Public Law 2015, chapter 57 authorizes the Commissioner of Inland Fisheries and Wildlife to postpone or cancel an open hunting season if, based on principles of sound scientific wildlife management, the commissioner has concerns regarding disease, weather conditions, reduction in population or other unforeseen factors that may prevent publicly derived management goals from being met.

LD 571 Resolve, To Study the Need for a Standard Formula for the Horsepower of Motors Used on the Lakes and Ponds of the State Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAFTS DAVIS	ONTP OTP	

This resolve directs the Department of Inland Fisheries and Wildlife to create a working group to study and recommend legislation regarding the need for a standard formula for determining maximum horsepower for motorized watercraft on lakes and ponds in the State. It also directs the department to submit the report and any

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recommended legislation to the Joint Standing Committee on Inland Fisheries and Wildlife by December 2, 2015.

LD 608 An Act To Allow Junior, Senior and Veteran Hunters To Shoot ONTP
Antlerless Deer on the Opening Day of Hunting Season

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HANINGTON WILLETTE	ONTP	

This bill allows a licensed junior hunter, veteran or person who is 65 years of age or older to take an antlerless deer with a firearm on the first day of the regular deer hunting season and imposes a \$10 deer registration fee.

LD 609 An Act To Provide an Incentive to Nonresident Landowners Who Own CARRIED OVER
More than 250 Acres To Keep That Land Open for Hunting

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

This bill authorizes the Commissioner of Inland Fisheries and Wildlife to issue any hunting or fishing license at a reduced rate to a nonresident who owns more than 250 acres of land in this State and keeps that land open for hunting.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 610 An Act To Provide That Inland Waters Stocked with Fish by the State ONTP
May Not Open for Ice Fishing until the Next January 1st

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TIMBERLAKE DAVIS	ONTP	

This bill requires inland waters stocked with fish by the State to be closed to ice fishing until the January 1st of the calendar year following the year in which stocking occurred.

LD 639 An Act To Allow Certain Youths To Take a Deer of Either Sex ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS LONG	ONTP	

This bill allows a person who is at least 10 years of age and under 15 years of age who holds a junior hunting license to take multiple antlered or antlerless deer without a permit during the years of the junior hunter's eligibility.

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LD 640 Resolve, To Establish a Working Group To Review the Incidental Take Permitting Process under the Endangered Species Laws CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS SHERMAN		

This resolve requires the Department of Inland Fisheries and Wildlife to convene a working group of representatives of related industries to develop recommended statutory amendments or agency rules to implement the statute governing the incidental take permitting process governing the taking of an endangered or threatened species while engaged in a lawful activity.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 668 An Act To Market Maine's Hunting and Fishing Opportunities CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUCHESNE CYRWAY		

This bill directs the Commissioner of Inland Fisheries and Wildlife to establish a comprehensive marketing program for the Department of Inland Fisheries and Wildlife that is led and coordinated by a dedicated marketing specialist, whose position is required to be created within the department's Division of Public Information and Education.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 691 An Act To Allow Sunday Hunting for Coyotes in Northern Maine Accepted Report A (ONTP)

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK	ONTP OTP-AM OTP-AM	

This bill permits the hunting of coyotes on Sunday in the northern part of the State and sets the fee for a Sunday coyote hunting permit at \$10. It requires the Commissioner of Inland Fisheries and Wildlife to adopt rules to establish areas in northern Maine open to hunting coyotes on Sunday.

Committee Amendment "A" (S-117)

This amendment, which is a minority report of the committee, incorporates a fiscal note.

Committee Amendment "B" (S-118)

The amendment, which is a minority report of the committee, allows a person who holds a permit to hunt big game to hunt coyotes from 12:01 a.m. to sunrise on Sunday statewide. The amendment removes the bill's provision authorizing coyote hunting on Sunday only in the northern part of the State.

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LD 703 **RESOLUTION, Proposing an Amendment to the Constitution of Maine
To Protect the People's Right To Hunt, Fish and Harvest Wildlife** INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WARD DAVIS	ONTP OTP-AM	

This resolution proposes to amend the Constitution of Maine to provide that the citizens of Maine have the personal right to hunt, fish and harvest wildlife, subject to laws and rules that promote wildlife conservation and preserve the future of hunting and fishing, and to provide that public hunting, fishing and harvesting wildlife are a preferred means of managing and controlling wildlife.

Committee Amendment "A" (H-344)

This amendment, which is the minority report of the committee, incorporates a fiscal note.

LD 716 **An Act To Amend the Fees for Snowmobile Registrations and To Create
the Snowmobile Trail Fund Donation Sticker** PUBLIC 237
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STANLEY	OTP-AM	H-338

This bill makes the following changes related to snowmobile registration and sales tax on diesel fuel used in snowmobile trail-grooming machinery.

1. It increases the resident snowmobile registration fee from \$40 to \$50 and allocates the additional \$10 to the Snowmobile Trail Fund of the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands.
2. It increases the three-day nonresident snowmobile registration fee from \$43 to \$49 and increases the seasonal nonresident registration from \$88 to \$99 and allocates the additional revenue to the Snowmobile Trail Fund of the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands.
3. It creates a seven-day nonresident snowmobile registration with a fee of \$75.
4. It amends the law governing the special fuel tax to make it clear that fuel qualifying for a refund under that law does not lose the sales tax exemption created in the bill for diesel fuel used in snowmobile trail-grooming machinery.

Committee Amendment "A" (H-338)

This amendment replaces the bill and changes the title. It does the following.

1. It increases the resident snowmobile registration fee from \$40 to \$45 and dedicates the \$5 increase to the Snowmobile Trail Fund.
2. It increases the three-day nonresident snowmobile registration fee from \$43 to \$49 and dedicates the \$6 increase to the Snowmobile Trail Fund.
3. It increases the nonresident seasonal snowmobile registration fee from \$88 to \$99 and dedicates the \$11 increase to the Snowmobile Trail Fund.

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4. It creates a 10-day nonresident snowmobile registration fee and sets the fee at \$75, of which \$6 is dedicated to the Snowmobile Trail Fund.
5. It directs the Commissioner of Inland Fisheries and Wildlife to create the Snowmobile Trail Fund Donation Sticker Program and to create donation stickers to reflect a donor's donation of \$25, \$50 and \$100, respectively, of which \$2 is retained by the department and the remainder is transferred to the Snowmobile Trail Fund. The donation stickers are not a part of or associated with the State's snowmobile registration requirements.
6. It directs the Commissioner of Agriculture, Conservation and Forestry to develop written policies specifying the criteria the department will use to distribute additional revenues raised pursuant to this amendment to snowmobile clubs and to submit those policies for review to the Joint Standing Committee on Inland Fisheries and Wildlife no later than January 15, 2016.

Enacted Law Summary

Public Law 2015, chapter 237 does the following.

1. It increases the resident snowmobile registration fee from \$40 to \$45 and dedicates the \$5 increase to the Snowmobile Trail Fund.
2. It increases the three-day nonresident snowmobile registration fee from \$43 to \$49 and dedicates the \$6 increase to the Snowmobile Trail Fund.
3. It increases the nonresident seasonal snowmobile registration fee from \$88 to \$99 and dedicates the \$11 increase to the Snowmobile Trail Fund.
4. It creates a 10-day nonresident snowmobile registration fee and sets the fee at \$75, of which \$6 is dedicated to the Snowmobile Trail Fund.
5. It directs the Commissioner of Inland Fisheries and Wildlife to create the Snowmobile Trail Fund Donation Sticker Program and to create donation stickers to reflect a donor's donation of \$25, \$50 and \$100, respectively, of which \$2 is retained by the department and the remainder is transferred to the Snowmobile Trail Fund. The donation stickers are not a part of or associated with the State's snowmobile registration requirements.
6. It directs the Commissioner of Agriculture, Conservation and Forestry to develop written policies specifying the criteria the department will use to distribute additional revenues raised pursuant to this amendment to snowmobile clubs and to submit those policies for review to the Joint Standing Committee on Inland Fisheries and Wildlife no later than January 15, 2016.

Public Law 2015, chapter 237 was enacted as an emergency measure effective June 23, 2015.

**LD 723 An Act To Allow Reciprocal Recognition of New Hampshire and Maine
Snowmobile Registrations**

ONTP

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

This bill allows a person from November 15th to May 1st to operate in this State a snowmobile registered in the State of New Hampshire if the State of New Hampshire allows a person to operate in the State of New Hampshire a snowmobile registered in this State.

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LD 746 An Act Regarding Captive Amphibian and Reptile Permits ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BECK CUSHING	ONTP	

This bill generally exempts nonnative amphibians and nonnative reptiles from the law that requires a permit for the possession of wildlife in captivity and the importation of wildlife from outside of the State but provides a list of nonnative amphibian and nonnative reptile species that are still subject to the permitting requirement. It also specifies that all native amphibians and native reptiles are subject to the permitting requirement.

LD 753 RESOLUTION, Proposing an Amendment to the Constitution of Maine INDEF PP
To Establish the Right To Hunt and Fish

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOOD BURNS	ONTP OTP-AM	

This resolution proposes to amend the Constitution of Maine to provide that the right of the people of this State to hunt, fish and harvest game and fish, including by the use of traditional methods, may not be infringed, subject to reasonable laws and rules to promote wildlife conservation and management, to maintain natural resources in trust for public use and to preserve the future of hunting and fishing. It also provides that public hunting and fishing are a preferred means of managing and controlling wildlife.

Committee Amendment "A" (H-394)

This amendment, which is the minority report of the committee, incorporates a fiscal note.

LD 755 An Act Concerning Antler Restrictions ONTP

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

This bill prohibits a person from taking a buck with fewer than three antler points on one side in any wildlife management district where antlerless deer permits are issued.

LD 773 An Act To Allow Anadromous Fish Passage through Beaver Dams Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIERCE J MIRAMANT	ONTP OTP-AM	

This bill gives the Commissioner of Inland Fisheries and Wildlife and the Commissioner of Marine Resources the authority to issue a permit to a person to construct a fishway or a passageway through a beaver dam for the passage of anadromous fish.

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Committee Amendment "A" (H-178)

This amendment, which is the minority report of the committee, replaces the bill. Currently, a person may remove a beaver dam with the authorization of a game warden and as long as certain conditions are met. This amendment provides that a person may also alter a beaver dam to allow the passage of anadromous fish with the authorization of a game warden.

LD 781 An Act To Expand Turkey Hunting Opportunities

PUBLIC 127

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO	OTP-AM	S-103

This bill expands turkey hunting opportunities by:

1. Eliminating the turkey permit requirements;
2. Allowing the hunting of turkey with a big game or small game hunting license;
3. Requiring deer registration stations to also register turkeys; and
4. Providing for electronic or telephonic registration of turkeys.

Committee Amendment "A" (S-103)

This amendment replaces the bill, which eliminates wild turkey permit requirements. Current law requires that a person hold a big game license to be eligible to purchase a wild turkey permit. This amendment makes the holder of a small game license also eligible to hold a wild turkey permit. It also directs the Commissioner of Inland Fisheries and Wildlife to establish a November wild turkey hunting season that is in addition to the current fall wild turkey hunting season in October. The amendment eliminates the bill's provisions regarding registration of wild turkeys. The amendment provides an effective date of January 1, 2016.

Enacted Law Summary

Public Law 2015, chapter 127 makes the holder of a small game license also eligible to hold a wild turkey permit and directs the Commissioner of Inland Fisheries and Wildlife to establish a November wild turkey hunting season that is in addition to the current fall wild turkey hunting season in October.

Public Law 2015, chapter 127 has an effective date of January 1, 2016.

LD 799 An Act To Stimulate the Economy and Invigorate the Hunting Industry by Establishing a Pilot Project To Allow Hunting on Sundays in Limited Areas

Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHACE	ONTP OTP	

This bill allows as a pilot project until January 1, 2018 hunting on Sundays in wildlife management districts 1 to 14, 17, 19 and 28 for any species during the open season on that species. It requires the Department of Inland Fisheries and Wildlife to submit by January 1, 2017 a report to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters regarding the status of the pilot project and recommendations

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as to whether the project should be expanded, modified, reduced or terminated.

LD 801 An Act To Ensure Safe and Humane Bear Hunting Practices ONTP

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

This bill prohibits a person from hunting bear with the use of dogs. It also makes a violation of that prohibition a Class D crime and a Class C crime for a 3rd or subsequent offense. This bill provides an exemption for the Commissioner of Inland Fisheries and Wildlife to hunt bear with the use of dogs for public safety or research purposes.

LD 802 An Act To Allow the Breach or Removal of Beaver Dams That Obstruct Passage of Anadromous or Migratory Fish ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUCKER BAKER	ONTP	

This bill gives the Commissioner of Inland Fisheries and Wildlife and the Commissioner of Marine Resources explicit authority to require fishways to be installed and maintained through beaver dams by the owners, lessees or other persons in control of the property on which a beaver dam exists or by which a beaver dam may be accessed or to require a beaver dam to be removed in order to conserve, develop or restore anadromous or migratory fish resources.

LD 807 An Act To Amend Maine's Threatened and Endangered Species List PUBLIC 121

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO WELSH	OTP-AM	S-90

This bill changes the status of certain species on the list of state endangered and state threatened species, adds species to the list and removes entries from the list.

Committee Amendment "A" (S-90)

This amendment removes the provision of the bill that would have removed two species from Maine's list of threatened species. This change corrects an error in the bill.

Enacted Law Summary

Public Law 2015, chapter 121 amends the list of state endangered and state threatened species as follows.

1. It changes the status of the Roaring Brook mayfly and Clayton's copper from endangered to threatened.
2. It adds the eastern small-footed bat to the list of state threatened species.
3. It adds to the state list of endangered species the cobblestone tiger beetle, frigga fritillary, northern long-eared bat, little brown bat and the six-whorled vertigo.

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LD 811 An Act To Benefit Senior Hunters ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING PETERSON	ONTP	

This bill allows a resident of the State who is 70 years of age or older and possesses a hunting license to lawfully take an antlerless deer without a permit during the open season on deer. It also requires the Department of Inland Fisheries and Wildlife to designate which hunting zones are open to the taking of antlerless deer by such residents.

LD 833 Resolve, To Direct the Department of Inland Fisheries and Wildlife To ONTP
Add Koi to the List of Fish Approved for Aquariums

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

This resolve directs the Department of Inland Fisheries and Wildlife to amend its rules to add koi, *Cyprinus carpio haematopterus*, to the list of unrestricted fish that do not require an importation permit or possession permit and to allow koi to be kept only in a closed aquarium or pond system.

LD 848 An Act To Increase the Safety of Hunting ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS ALLEY	ONTP	

This bill:

1. Imposes a mandatory \$500 penalty for a violation of discharging a firearm or crossbow within 100 yards of a building or residential dwelling;
2. Increases the minimum distance for discharging a firearm to 100 feet from the center of a paved road and sets a penalty of \$500 for a violation; and
3. Requires that a firearm with a rifled barrel in or on a motor vehicle during deer hunting season be enclosed in a case.

LD 849 Resolve, Directing the Department of Inland Fisheries and Wildlife To Veto Sustained
Examine the Use of an Antler Point Restriction System To Increase the
Age, Size and Number of Antlered Deer in Maine

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS ALLEY	OTP-AM ONTP	S-110

This bill requires the Commissioner of Inland Fisheries and Wildlife to adopt an antler point restriction system to

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increase the population of older antlered deer in the State. It also directs the commissioner to adopt rules to implement and enforce the system.

Committee Amendment "A" (S-110)

This amendment, which is the majority report of the committee, replaces the bill with a resolve that directs the Department of Inland Fisheries and Wildlife to study issues relating to increasing the number, size and age of antlered deer in this State, collect and examine relevant information from other states regarding the use of an antler point restriction system and submit a report of its findings and recommendations to the Joint Standing Committee on Inland Fisheries and Wildlife by January 15, 2016. The committee is authorized to report out a bill relating to the department's report to the Second Regular Session of the 127th Legislature.

LD 887 An Act To Prohibit Hunting Bear Using Dogs and Trapping Bear ONTP

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

This bill prohibits the use of dogs while hunting bear and it prohibits trapping bear, unless necessary for the trapping of nuisance bears as permitted by the Commissioner of Inland Fisheries and Wildlife.

LD 888 An Act To Recognize and Provide for the Right To Hunt for Sustenance in Aroostook County for Maliseet and Micmac Tribal Members and Disabled Veterans Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAR WILLETTE	ONTP OTP-AM	

This bill provides that members of the Houlton Band of Maliseet Indians and the Aroostook Band of Micmacs may hunt for any wild animal or bird at any time in Aroostook County for sustenance use. Tribal members engaging in this sustenance hunting are largely exempt from general wild game laws, except that moose and bear hunting must be done by special permits issued by the Commissioner of Inland Fisheries and Wildlife. The commissioner is required to annually issue 33 moose permits and 33 bear permits to members of each respective tribe. The commissioner is also directed to annually issue 33 moose permits and 33 bear permits for sustenance hunting in Aroostook County to 100% disabled United States veterans residing in Aroostook County, who are bound by the general wild game laws except that they may hunt from a motor vehicle.

Committee Amendment "A" (H-106)

This amendment, which is the minority report of the committee, incorporates a fiscal note.

Senate Amendment "A" (S-73)

This amendment replaces the bill and directs the Commissioner of Inland Fisheries and Wildlife to issue annually 33 moose permits to enrolled members of the Houlton Band of Maliseet Indians and 33 moose permits to enrolled members of the Aroostook Band of Micmacs valid only in wildlife management districts located in Aroostook County. The commissioner may limit the number of moose permits and all permits are subject to the provisions pertaining to moose hunting. The permits are free of charge.

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LD 906 Resolve, To Review Maine's Fish Stocking Rules

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOOD DAVIS	ONTP	

This resolve is a concept draft pursuant to Joint Rule 208.

This resolve proposes to have the fish stocking rules of the Department of Inland Fisheries and Wildlife reviewed for consideration and amending and the results of the review reported to the Joint Standing Committee on Inland Fisheries and Wildlife by January 30, 2016 with suggested changes, and the committee may submit a bill to the Second Regular Session of the 127th Legislature on the subject matter of the report.

LD 907 An Act To Reduce Milfoil Infestations

ONTP

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

This bill provides that a permit from the Commissioner of Inland Fisheries and Wildlife is required to install, maintain or operate a water-ski jump or slalom course on the internal waters of the State and requires that if there is an invasive plant within the area of a regatta, race, boat exhibition, water-ski exhibition or water-ski jump or slalom course, the invasive plant may not be disturbed and must be properly removed or the event, jump or course must be relocated.

LD 913 An Act To Expand Public Opportunities for Wildlife Management Education

PUBLIC 245

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHAW SAVIELLO	OTP-AM	H-339

This bill increases hunting license fees by one dollar and directs the Department of Inland Fisheries and Wildlife to use that revenue on an annual basis to educate the public on the management of game species. It also directs the Commissioner of Inland Fisheries and Wildlife to convene a stakeholders group to develop a five-year public outreach campaign on the efforts of the department to manage game species, including a plan on how to use the increased revenue. The commissioner must report by February 1, 2016 to the Joint Standing Committee on Inland Fisheries and Wildlife, which may report out a bill to the Second Regular Session of the 127th Legislature.

Committee Amendment "A" (H-339)

This amendment increases the trapping license fees by one dollar and directs that the revenue be used to educate the public on the management of game species.

Enacted Law Summary

Public Law 2015, chapter 245 increases hunting license fees and trapping license fees by one dollar and directs the Department of Inland Fisheries and Wildlife to use that revenue to educate the public on the management of game species. It also directs the Commissioner of Inland Fisheries and Wildlife to convene a stakeholders group to develop a five-year public outreach campaign on the efforts of the department to manage game species, including a

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plan on how to use the increased revenue. The commissioner must report by February 1, 2016 to the Joint Standing Committee on Inland Fisheries and Wildlife, which may report out a bill to the Second Regular Session of the 127th Legislature.

LD 926 Resolve, To Increase the Number of Days a Junior Hunter May Hunt ONTP
Deer

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALLEY BURNS	ONTP	

This resolve directs the Department of Inland Fisheries and Wildlife to amend its rules to allow a youth 10 years of age or older and under 16 years of age who possesses a junior hunting license to hunt deer on the days between Youth Deer Hunting Day and the residents-only Saturday of the regular deer hunting season, excluding Sunday.

LD 942 An Act To Permit the Use of Firearm Noise Suppression Devices in PUBLIC 262
Hunting and To Provide for a Chief Law Enforcement Officer's
Certification for Certain Firearms

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASON SHAW	OTP-AM	S-218

This bill removes the prohibition on the use of firearm noise suppression devices when hunting and provides that a person who is otherwise lawfully hunting may use such devices.

It also establishes a procedure for a person to obtain a chief law enforcement officer's certification under federal law for the approval of an application to transfer or make a firearm, requires that the certification be provided in a timely fashion unless the applicant is ineligible, limits the personal information required from the applicant, establishes a right to an appeal in the case of a denial and clarifies that under the Maine Tort Claims Act the chief law enforcement officer or an employee of the chief law enforcement officer making the certification is immune from liability.

Committee Amendment "A" (S-218)

This amendment replaces the bill but addresses both of the matters addressed in the bill: the use of noise suppression devices while hunting and requirements governing a chief law enforcement officer's certification of a federal application to transfer or make a firearm.

The portion of this amendment relating to the use of noise suppression devices:

1. Until August 1, 2018, allows a person to use a noise suppression device while hunting, as long as the person has lawful possession of the device and has not had a hunting license revoked as a result of a serious hunting violation;
2. Provides for enhanced penalties for a person who commits a hunting violation while in possession of a firearm with a noise suppression device;
3. Provides for the permanent revocation of a person's hunting license and the seizure and libel of the person's firearm and noise suppression device if the person commits a serious hunting violation while in possession of a firearm with a noise suppression device; and
4. Provides definitions of "hunting crime" and "serious hunting violation."

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The portion of this amendment regarding a chief law enforcement officer's certification on a person's federal application to transfer or make a firearm, including a noise suppression device:

1. Directs a chief law enforcement officer to provide the certification within 15 days of receipt, unless the officer has information that prevents the officer from providing the certification. A generalized objection to a person's possessing or transferring a firearm or a certain type of firearm is not sufficient;
2. Requires an officer who denies an application for certification to provide in writing the reasons for the denial;
3. Clarifies that a denial of an application or refusal or failure to provide a certification is a governmental action subject to appeal under the Maine Rules of Civil Procedure; and
4. Limits the information an officer may require from an applicant for certification and prohibits the officer from requiring access or consent to inspect any private premises as a condition of making a certification.

Enacted Law Summary

Public Law 2015, chapter 262 does the following regarding the use of noise suppression devices:

1. Until August 1, 2018, allows a person to use a noise suppression device while hunting, as long as the person has lawful possession of the device and has not had a hunting license revoked as a result of a serious hunting violation;
2. Provides for enhanced penalties for a person who commits a hunting violation while in possession of a firearm with a noise suppression device;
3. Provides for the permanent revocation of a person's hunting license and the seizure and libel of the person's firearm and noise suppression device if the person commits a serious hunting violation while in possession of a firearm with a noise suppression device; and
4. Provides definitions of "hunting crime" and "serious hunting violation."

Public Law 2015, chapter 262 does the following regarding a chief law enforcement officer's certification on a person's federal application to transfer or make a firearm, including a noise suppression device:

1. Directs a chief law enforcement officer to provide the certification within 15 days of receipt, unless the officer has information that prevents the officer from providing the certification. A generalized objection to a person's possessing or transferring a firearm or a certain type of firearm is not sufficient;
2. Requires an officer who denies an application for certification to provide in writing the reasons for the denial;
3. Clarifies that a denial of an application or refusal or failure to provide a certification is a governmental action subject to appeal under the Maine Rules of Civil Procedure; and
4. Limits the information an officer may require from an applicant for certification and prohibits the officer from requiring access or consent to inspect any private premises as a condition of making a certification.

LD 959 An Act To Amend the Membership of the Maine Outdoor Heritage Fund ONTP
Board

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LANGLEY MAREAN	ONTP	

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This bill repeals the definition of the Coordinator of the Natural Areas Program and removes the Coordinator of the Natural Areas Program in the Department of Agriculture, Conservation and Forestry as a member of the Maine Outdoor Heritage Fund Board and replaces that member with the Commissioner of Marine Resources.

LD 1056 An Act To Exempt the Sale of Snowmobiles to Nonresidents from Sales Tax Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOOD DAVIS	OTP-AM	H-179

This bill establishes an annual \$15 snowmobile trail fund sticker that must be purchased for each snowmobile registered in the State by a nonresident and that is voluntary for residents, the proceeds of which are transferred to the Snowmobile Trail Fund of the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands for snowmobile trail maintenance and grooming.

Committee Amendment "A" (H-179)

This amendment replaces the bill and changes the title. It exempts the sales of snowmobiles to nonresidents from sales tax.

LD 1102 Resolve, Establishing the Commission To Study the Needs, Opportunities and Efficiency Associated with the Production of Salmonid Sport Fish in Maine Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLACK SAVIELLO	ONTP OTP	

This resolve creates the Commission to Study the Needs, Opportunities and Efficiency Associated with the Production of Salmonid Sport Fish in Maine. The commission is required to submit its report and any accompanying legislation to the Joint Standing Committee on Inland Fisheries and Wildlife by January 15, 2016.

LD 1196 An Act To Correct and Clarify Maine's Fish and Wildlife Laws PUBLIC 301

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS SHAW	OTP-AM	S-267

This bill makes the following changes to the laws governing fish and wildlife.

1. It eliminates the disabled hunter, trapper and angler advisory committee and a reference to that committee.
2. It provides that a person must hold a valid archery hunting license to hunt with a hand-held bow and arrow during any open season on a bird or animal and that a person must hold a valid big game archery license or big game hunting license and a valid crossbow hunting license to hunt with a crossbow during any open season on a bird or animal.
3. It enacts in the statutes certain requirements regulating the use of crossbows and eliminates the maximum draw

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weight for crossbows of 200 pounds.

4. It amends the supervisory requirements for apprentice hunter licenses and apprentice trapper licenses. It specifies that the holder of an apprentice hunter license must hunt in the presence of a person who is 18 years of age or older and who holds a valid adult hunting license and specifies that the holder of an apprentice trapper license must trap in the presence of a person that has held a valid adult trapper license for the prior three years.
5. It specifies that a nonresident junior hunting license includes all permits, stamps and other permissions needed to hunt at no additional cost.
6. It corrects cross-references to statutory provisions that authorize the taking of wildlife that attack domestic animals, destroy property or cause damage to crops or orchards.
7. It eliminates language imposing a five percent surcharge on agents who fail to pay the amount owed the State for watercraft registration, snowmobile registration and all-terrain vehicle registration.
8. It repeals the provision of current law that prohibits a person from operating an all-terrain vehicle on a private road after being forbidden to do so by the owner or a municipal official.

Committee Amendment "A" (S-267)

This amendment does the following.

1. It creates the Camp North Woods program to provide outdoor learning opportunities to youth and creates the Camp North Woods fund.
2. It prohibits possession of wild animals or wild birds that a person does not possess by lawful means.
3. It stipulates that if a person hunts with a crossbow that does not meet certain requirements, that person commits a Class E crime.
4. It prohibits the exchange of a moose permit for any consideration other than another moose permit.
5. It imposes certain requirements for hunting deer, bear or moose with bow and arrow and firearms and prohibits the use of medicinal, poisonous or stupefying substances as bait.
6. It provides that an ice shack must be removed from a body of water upon the earlier of the date of ice out or three days after the close of ice fishing season.
7. It creates a public records exception for information concerning the location of a threatened or endangered species.
8. It increases the minimum amount of damage to watercraft that requires reporting to the Commissioner of Inland Fisheries and Wildlife from \$1,000 in current law to \$2,000.

Enacted Law Summary

Public Law 2015, chapter 301 makes the following changes to the laws governing fish and wildlife.

1. It eliminates the disabled hunter, trapper and angler advisory committee and a reference to that committee.
2. It provides that a person must hold a valid archery hunting license to hunt with a hand-held bow and arrow during any open season on a bird or animal and that a person must hold a valid big game archery license or big game hunting license and a valid crossbow hunting license to hunt with a crossbow during any open season on a bird or

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animal.

3. It enacts in the statutes certain requirements regulating the use of crossbows and eliminates the maximum draw weight for crossbows of 200 pounds.
4. It amends the supervisory requirements for apprentice hunter licenses and apprentice trapper licenses. It specifies that the holder of an apprentice hunter license must hunt in the presence of a person who is 18 years of age or older and who holds a valid adult hunting license and specifies that the holder of an apprentice trapper license must trap in the presence of a person that has held a valid adult trapper license for the prior three years.
5. It specifies that a nonresident junior hunting license includes all permits, stamps and other permissions needed to hunt at no additional cost.
6. It corrects cross-references to statutory provisions that authorize the taking of wildlife that attack domestic animals, destroy property or cause damage to crops or orchards.
7. It eliminates language imposing a five percent surcharge on agents who fail to pay the amount owed the State for watercraft registration, snowmobile registration and all-terrain vehicle registration.
8. It repeals the provision of current law that prohibits a person from operating an all-terrain vehicle on a private road after being forbidden to do so by the owner or a municipal official.
9. It creates the Camp North Woods program to provide outdoor learning opportunities to youth and creates the Camp North Woods fund.
10. It prohibits possession of wild animals or wild birds that a person does not possess by lawful means.
11. It stipulates that if a person hunts with a crossbow that does not meet certain requirements, that person commits a Class E crime.
12. It prohibits the exchange of a moose permit for any consideration other than another moose permit.
13. It imposes certain requirements for hunting deer, bear or moose with bow and arrow and firearms and prohibits the use of medicinal, poisonous or stupefying substances as bait.
14. It provides that an ice shack must be removed from a body of water upon the earlier of the date of ice out or three days after the close of ice fishing season.
15. It creates a public records exception for information concerning the location of a threatened or endangered species.
16. It increases the minimum amount of damage to watercraft that requires reporting to the Commissioner of Inland Fisheries and Wildlife from \$1,000 in current law to \$2,000.

LD 1202 Resolve, To Ensure the Stocking of Inland Waters in the State

RESOLVE 53

Sponsor(s)

DAVIS
SHORT

Committee Report

OTP-AM

Amendments Adopted

S-171

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This resolve allows the Department of Inland Fisheries and Wildlife to spend up to \$200,000 from the department's carrying account during the 2016-2017 biennium to purchase fish to stock the inland waters of the State.

Committee Amendment "A" (S-171)

This amendment increases the amount the Department of Inland Fisheries and Wildlife may spend from the department's carrying account during fiscal year 2015-16 for fish stocking purposes from \$200,000, as in the resolve, to \$700,000 and authorizes the department to use that money:

1. To contract for an engineering study to upgrade the Grand Lake Stream Fish Hatchery. The study must include an analysis of the feasibility and cost of a new cold water supply to that hatchery to raise fall yearly brook trout;
2. To contract for an engineering study for the construction of a new fish hatchery in the State. The study must include a comparative analysis on whether the State can best achieve its fish stocking objectives through the construction of a new fish hatchery or through upgrades to existing state-owned fish hatcheries; and
3. To use any remaining funds to purchase fish to stock the inland waters of the State.

This amendment also requires the Department of Inland Fisheries and Wildlife to submit a report, including any findings and recommendations, to the Joint Standing Committee on Inland Fisheries and Wildlife by February 1, 2016.

Enacted Law Summary

Resolve 2015, chapter 53 authorizes the Department of Inland Fisheries and Wildlife to spend up to \$700,000 from the department's carrying account during the 2016-2017 biennium to purchase fish to stock the inland waters of the State. It also authorizes the department to use that money:

1. To contract for an engineering study to upgrade the Grand Lake Stream Fish Hatchery. The study must include an analysis of the feasibility and cost of a new cold water supply to that hatchery to raise fall yearly brook trout;
2. To contract for an engineering study for the construction of a new fish hatchery in the State. The study must include a comparative analysis on whether the State can best achieve its fish stocking objectives through the construction of a new fish hatchery or through upgrades to existing state-owned fish hatcheries; and
3. To use any remaining funds to purchase fish to stock the inland waters of the State.

Resolve 2015, chapter 53 requires the Department of Inland Fisheries and Wildlife to submit a report, including any findings and recommendations, to the Joint Standing Committee on Inland Fisheries and Wildlife by February 1, 2016.

LD 1225 An Act Concerning Swim Area Permits

PUBLIC 252

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHAW	OTP-AM	H-307
DAVIS	OTP-AM	

This bill provides that a person may not establish or maintain a swim line or a developed swim area unless the length of the developed swim area or of the area delineated by a swim line is equal to or less than 50 percent of the entire length of the shore frontage of the property from which the developed swim area or the area delineated by a swim line extends or 200 feet, whichever is greater. The length of a developed swim area or of an area delineated by a swim line is measured parallel to the shore. The length of the swim line will determine where a line, rope or

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series of buoys used to delineate an area of surface water for the purpose of swimming may be placed.

Committee Amendment "A" (H-307)

This amendment, which is the majority report, replaces the bill. This amendment modifies the swim area law as follows.

1. It provides that a swim line or developed swim area may not exceed 50 percent of the entire length of the shore frontage of the property from which the developed swim area or the area delineated by a swim line extends or 200 feet, whichever is greater, except that in no event may the developed swim area or the area delineated by a swim line extend beyond the shore frontage of the property. The length of the developed swim area or of an area delineated by a swim line must be measured parallel to the shore.
2. It removes the special penalties for establishing a swim area without a permit. It leaves in place the general civil penalty applicable under the Maine Revised Statutes, Title 12, section 1806.
3. It removes the permit fee exemptions for governmental entities and recreational camps and requires that all permits expire after five years.
4. It provides that permit fee revenues go into the Boating Facilities Fund and may be used in administering the swim area law.
5. It provides that a permit for a swim line or a developed swim area may be issued only if the swim line or developed swim area is designed solely to provide recreational swimming opportunities for the public. If the director determines, after notice and opportunity for hearing, that a swim line or a developed swim area is being used for purposes other than to provide recreational swimming opportunities for the public, the director may revoke the permit.

Committee Amendment "B" (H-308)

This amendment, which is the minority report, replaces the bill. This amendment modifies the swim area law as follows.

1. It provides that a swim line or developed swim area may not exceed 200 feet. The length of the developed swim area or of an area delineated by a swim line must be measured parallel to the shore.
2. It removes the special penalties for establishing a swim area without a permit. It leaves in place the general civil penalty applicable under the Maine Revised Statutes, Title 12, section 1806.
3. It removes the permit fee exemptions for governmental entities and recreational camps and requires that all permits expire after five years.
4. It provides that permit fee revenues go into the Boating Facilities Fund and may be used in administering the swim area law.
5. It provides that a permit for a swim line or a developed swim area may be issued only if the swim line or developed swim area is designed solely to provide recreational swimming opportunities for the public. If the director determines, after notice and opportunity for hearing, that a swim line or a developed swim area is being used for purposes other than to provide recreational swimming opportunities for the public, the director may revoke the permit.

Enacted Law Summary

Public Law 2015, chapter 252 amends the swim area law as follows.

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1. It provides that a swim line or developed swim area may not exceed 50 percent of the entire length of the shore frontage of the property from which the developed swim area or the area delineated by a swim line extends or 200 feet, whichever is greater, except that in no event may the developed swim area or the area delineated by a swim line extend beyond the shore frontage of the property. The length of the developed swim area or of an area delineated by a swim line must be measured parallel to the shore.
2. It removes the special penalties for establishing a swim area without a permit. It leaves in place the general civil penalty applicable under the Maine Revised Statutes, Title 12, section 1806.
3. It removes the permit fee exemptions for governmental entities and recreational camps and requires that all permits expire after five years.
4. It provides that permit fee revenues go into the Boating Facilities Fund and may be used in administering the swim area law.
5. It provides that a permit for a swim line or a developed swim area may be issued only if the swim line or developed swim area is designed solely to provide recreational swimming opportunities for the public. If the director determines, after notice and opportunity for hearing, that a swim line or a developed swim area is being used for purposes other than to provide recreational swimming opportunities for the public, the director may revoke the permit.

LD 1226 An Act To Establish a Comprehensive Hunting License

**Accepted Majority
(ONTP) Report**

Sponsor(s)

SHAW

Committee Report

ONTP
OTP-AM

Amendments Adopted

This bill expands the current resident hunting license and nonresident hunting license to encompass and replace all other hunting licenses and hunting permits except the:

1. Junior hunting license;
2. Resident and nonresident apprentice hunting licenses;
3. Antlerless deer and special deer season permits;
4. Moose permit;
5. Pheasant permit;
6. Waterfowl permit;
7. Falconry permit; and
8. Migratory bird permit.

This bill increases the fee for a resident and a nonresident hunting license from \$25 to \$38 and from \$114 to \$143, respectively. This bill also increases the fee on resident and nonresident hunting and fishing combination licenses from \$42 to \$55 and from \$149 to \$178, respectively, to reflect the increase in the hunting license fee.

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It also provides that infant, junior and senior resident archery lifetime hunting licenses purchased prior to January 1, 2016 remain valid and provide the same hunting opportunities as the expanded infant, junior and senior resident lifetime hunting licenses.

This bill maintains the current firearm, bow and arrow and crossbow hunter education requirements.

Committee Amendment "A" (H-431)

This amendment, which is the minority report of the committee, changes the title and replaces the bill. It creates a permit package, which authorizes the holder to hunt with a crossbow or muzzle-loader, and authorizes the holder to hunt bear, wild turkey, pheasant, migratory waterfowl, coyote at night and antlerless deer and deer of either sex during an expanded archery season, if an expanded archery season is adopted by the Department of Inland Fisheries and Wildlife by rule. The amendment sets the fee for the permit package at \$34, except as otherwise provided.

**LD 1232 Resolve, Directing the Department of Inland Fisheries and Wildlife To Accepted Majority
Amend Its Rules Regarding the Bag Limit on Smelts (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS	ONTP OTP	

This resolve directs the Department of Inland Fisheries and Wildlife to amend its rules to increase the daily bag limit on smelts from two quarts of live smelts to 72 live smelts.

LD 1239 An Act To Allow Persons To Train and Use Dogs To Hunt Coyotes ONTP

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

This bill allows a person to train and use dogs to hunt coyotes.

**LD 1296 An Act To Repeal Authorization for Smelt Fishing in Mud Brook in PUBLIC 125
Aroostook County EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCELWEE EDGECOMB P	OTP	

Current law provides that, notwithstanding laws to the contrary, a person may fish for smelt by use of a dip net in Mud Brook, a tributary of Long Lake within Township 17, Range 3, Aroostook County. This bill repeals the provision that authorizes smelting in Mud Brook.

Enacted Law Summary

Public Law 2015, chapter 125 repeals the provisions of law that authorize smelting by use of a dip net in Mud Brook, a tributary of Long Lake within Township 17, Range 3, Aroostook County.

Public Law 2015, chapter 125 was enacted as an emergency measure effective May 29, 2015.

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LD 1321 An Act To Expand the Landowner Relations Program at the Department of Inland Fisheries and Wildlife

PUBLIC 277

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ESPLING	OTP-AM ONTP	H-348

This bill amends the landowner relations program within the Department of Inland Fisheries and Wildlife by adding to the program the requirement that the Commissioner of Inland Fisheries and Wildlife establish an ongoing relationship with various outdoor recreationists and the nonprofit organizations representing these outdoor recreationists, and must provide ongoing education to these groups and individuals about good landowner relations.

The bill gives the Commissioner of Inland Fisheries and Wildlife, instead of the Governor, authority to appoint board members for the Landowners and Sportsmen Relations Advisory Board, and it reduces the size and membership of the board and expands the board's duties to include an annual stakeholder meeting and an annual reporting requirement.

This bill also directs the Commissioner of Inland Fisheries and Wildlife to establish a Keep Maine Clean program to recruit volunteers to pick up trash along roadsides, fields and forests while they are walking, hiking, fishing and otherwise enjoying public and private lands.

Committee Amendment "A" (H-348)

The bill amends the landowner relations program within the Department of Inland Fisheries and Wildlife by adding to the program the requirement that the Commissioner of Inland Fisheries and Wildlife establish an ongoing relationship with various outdoor user groups. This amendment, which is the majority report of the committee, removes that requirement.

The amendment also amends the Keep Maine Clean program established in the bill to remove the requirement that volunteers be recruited to pick up trash along roadways.

The amendment provides that any money received by the Commissioner of Inland Fisheries and Wildlife for the Keep Maine Clean program must be deposited in the Landowner Relations Fund.

Enacted Law Summary

Public Law 2015, chapter 277 gives the Commissioner of Inland Fisheries and Wildlife, instead of the Governor, authority to appoint board members for the Landowners and Sportsmen Relations Advisory Board, and it reduces the size and membership of the board and expands the board's duties to include an annual stakeholder meeting and an annual reporting requirement. It also directs the Commissioner of Inland Fisheries and Wildlife to establish a Keep Maine Clean program to recruit volunteers to pick up trash in fields and forests while they are walking, hiking, fishing and otherwise enjoying public and private lands and further provides that any money received by the Commissioner of Inland Fisheries and Wildlife for the program must be deposited in the Landowner Relations Fund.

LD 1369 An Act To Restructure the Permitting Process for Wildlife and Exotic Species in Captivity

PUBLIC 374

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS	OTP-AM OTP-AM	S-282

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This bill does the following.

1. It repeals the section of law that provides for an importation permit for wildlife and exotic species and amends the section of law regarding permits for the possession of wildlife in captivity to include importation.
2. It provides for an application fee and amends the permit fees.
3. It provides that the Commissioner of Inland Fisheries and Wildlife may grant permits to introduce, import, transport, receive or possess fish or gametes and must maintain a list of unregulated fish and wildlife species that is available to the public.
4. It directs the Department of Inland Fisheries and Wildlife to amend its rules to maintain an updated inspection provisions for applicants attempting to acquire a permit to possess or introduce, import and possess fish or wildlife in captivity; maintain a fee structure to establish fees for inspection provisions for regulated species; provide a process that allows authorized independent contractors to meet with permit applicants to educate applicants on minimum standard facility requirements and to inspect current facilities to recommend approval or denial of a permit; and to charge a responsible party for the cost incurred to remove or euthanize unpermitted regulated fish or wildlife species.
5. It adds educational purposes to the purposes for which the commissioner may issue permits to hunt, trap, possess, band and transport wild animals and wild birds. Current law provides that such permits may be issued for scientific purposes.

Committee Amendment "A" (S-282)

This amendment, which is the majority report of the committee, does the following.

1. It increases the penalty for keeping wildlife in captivity in violation of law to not less than \$500.
2. It clarifies that the Department of Inland Fisheries and Wildlife may seize fish or wildlife unlawfully kept in captivity for which a permit is required and may recover costs incurred to remove or euthanize seized wildlife.
3. It provides that the department may charge a \$25 late fee to a person who does not renew a permit to keep wildlife in captivity before the permit expires.
4. It provides that a person may be issued a permit for an additional fee of \$500 to keep wildlife in captivity after the person has already kept that wildlife in captivity.
5. It creates separate application and permit fees for importation and possession of wildlife in captivity. The bill creates one permit and fee schedule for both importation and possession.

Committee Amendment "B" (S-283)

This amendment, which is the minority report of the committee, increases the penalty for keeping wildlife in captivity in violation of law to not less than \$500. This amendment clarifies that the Department of Inland Fisheries and Wildlife may seize fish or wildlife unlawfully kept in captivity for which a permit is required and may recover costs incurred to remove or euthanize seized wildlife. It provides that the department may charge a \$25 late fee to a person who does not renew a permit to keep wildlife in captivity before the permit expires. It provides that a person may be issued a permit for an additional fee of \$500 to keep wildlife in captivity after the person has already kept that wildlife in captivity. It creates separate application and permit fees for importation and possession of wildlife in captivity; the bill creates one permit and fee schedule for both importation and possession. It provides that the Commissioner of Inland Fisheries and Wildlife must adopt rules limiting the number of animals that may be imported or possessed under a permit before an additional permit is required.

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Enacted Law Summary

Public Law 2015, chapter 374 does the following regarding wildlife and exotic species kept in captivity.

1. It repeals the section of law that provides for an importation permit for wildlife and exotic species and amends the section of law regarding permits for the possession of wildlife in captivity to include importation.
2. It clarifies that the Department of Inland Fisheries and Wildlife may seize fish or wildlife unlawfully kept in captivity for which a permit is required and may recover costs incurred to remove or euthanize seized wildlife.
3. It creates separate application and permit fees for importation and possession of wildlife in captivity.
4. It provides that the Commissioner of Inland Fisheries and Wildlife may grant permits to introduce, import, transport, receive or possess fish or gametes and must maintain a list of unregulated fish and wildlife species that is available to the public.
5. It directs the Department of Inland Fisheries and Wildlife to amend its rules to maintain an updated inspection provisions for applicants attempting to acquire a permit to possess or introduce, import and possess fish or wildlife in captivity; maintain a fee structure to establish fees for inspection provisions for regulated species; provide a process that allows authorized independent contractors to meet with permit applicants to educate applicants on minimum standard facility requirements and to inspect current facilities to recommend approval or denial of a permit; and charge a responsible party for the cost incurred to remove or euthanize unpermitted regulated fish or wildlife species.
6. It adds educational purposes to the purposes for which the commissioner may issue permits to hunt, trap, possess, band and transport wild animals and wild birds. Current law provides that such permits may be issued for scientific purposes.
7. It increases the penalty for keeping wildlife in captivity in violation of law to not less than \$500.
8. It provides that the department may charge a \$25 late fee to a person who does not renew a permit to keep wildlife in captivity before the permit expires.
9. It provides that a person may be issued a permit for an additional fee of \$500 to keep wildlife in captivity after the person has already kept that wildlife in captivity.

LD 1409 An Act To Clarify and Simplify the Licensing and Registration Provisions of the Inland Fisheries and Wildlife Laws

PUBLIC 281

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HILLIARD SAVIELLO	OTP-AM	H-435

This bill amends the inland fisheries and wildlife laws as follows.

1. It provides for the use of electronic licenses and permits.
2. It requires ATV registration numbers to be displayed by means of stickers.
3. It provides that, beginning January 1, 2016, a license holder, including a holder of a complimentary license, who hunts during a special season on deer implemented by the Commissioner of Inland Fisheries and Wildlife to maintain a deer population must be issued one antlerless deer permit and one either-sex permit, which is a new

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permit title established in the law governing special seasons.

4. It allows holders of junior hunting licenses, after they turn 16 years of age, to hunt pheasants and migratory waterfowl and to hunt with a bow and arrow for the remainder of the calendar year for which their licenses are issued without their having to purchase pheasant permits, migratory waterfowl permits or archery hunting licenses.
5. It removes references to big game licenses, changes references to crossbow and muzzle-loading licenses to crossbow and muzzle-loading permits and clarifies that hunting licenses allow the hunting of all legal species, subject to permit requirements.
6. It amends the license application and testing process for taxidermists to increase the application fee from \$10 to \$50, set the examination fee at \$50, require the examination of all persons who allow their licenses to lapse or who have not held a license within the previous three years, increase the license fee from \$67 to \$77, which is the current renewal fee, and make the license a three-year license.

Committee Amendment "A" (H-435)

This amendment does the following.

1. It removes the requirement in the bill that an antlerless deer permit and either-sex permit be issued to the holder of a complimentary license to hunt, trap or fish.
2. It adds the requirement that the holder of a license under which an antlerless deer permit and either-sex permit are issued must meet the archery hunting license eligibility requirements.
3. It provides that a nonresident junior hunting license includes all authorizations to hunt at no cost in addition to the cost of that license.
4. It alters the issuing schedule for taxidermist licenses to provide for their expiration on December 31st.
5. It makes technical changes to the bill.

Enacted Law Summary

Public Law 2015, chapter 281 does the following.

1. It allows the use of electronic licenses and permits.
2. It requires ATV registration numbers to be displayed by means of stickers.
3. It allows holders of junior hunting licenses, after they turn 16 years of age, to hunt pheasants and migratory waterfowl and to hunt with a bow and arrow for the remainder of the calendar year for which their licenses are issued without their having to purchase pheasant permits, migratory waterfowl permits or archery hunting licenses.
4. It removes references to big game licenses, changes references to crossbow and muzzle-loading licenses to crossbow and muzzle-loading permits and clarifies that hunting licenses allow the hunting of all legal species, subject to permit requirements.
5. It amends the license application and testing process for taxidermists to increase the application fee from \$10 to \$50, set the examination fee at \$50, require the examination of all persons who allow their licenses to lapse or who have not held a license within the previous three years, increase the license fee from \$67 to \$77, which is the current renewal fee, and make the license a three-year license.
6. It requires the holder of a license under which an antlerless deer permit and either-sex permit are issued to meet

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the archery hunting license eligibility requirements.

7. It provides that a nonresident junior hunting license includes all authorizations to hunt at no cost in addition to the cost of that license.

8. It alters the issuing schedule for taxidermist licenses to provide for their expiration on December 31st.

LD 1410 An Act To Strengthen Maine's Fisheries Laws

PUBLIC 298

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS MARTIN R	OTP-AM	S-265

This bill amends and adds definitions in the inland fisheries and wildlife laws. It establishes a reporting requirement for persons licensed to fish for eels, suckers, lampreys or yellow perch. The reported information must be used for scientific purposes and is confidential. It provides for suspension or revocation of a permit for noncompliance with a permit restriction. The bill also repeals a provision of law allowing eel permits to be issued to trappers.

Committee Amendment "A" (S-265)

This amendment clarifies that the holder of an individual permit for harvesting suckers, lampreys or yellow perch may purchase a crew permit that authorizes up to three persons to engage in the permitted activity. The amendment provides that the holder of a smelt or baitfish dealer license may not receive, possess for resale, sell or offer to sell gift baitfish or gift smelts. The amendment also provides that the required report from the holder of a sucker, lamprey or yellow perch permit must be submitted to the Department of Inland Fisheries and Wildlife by December 31st of each year.

Enacted Law Summary

Public Law 2015, chapter 298 does the following.

1. It removes the bridle shiner, longnose dace and creek chubsucker from the definition of "baitfish" and provides definitions for lamprey eel and sucker.
2. It establishes a reporting requirement for persons licensed to fish for eels, suckers, lampreys or yellow perch and provides that the reported information will be used for scientific purposes and is confidential. The report must be filed with the Department of Inland Fisheries and Wildlife no later than December 31st annually.
3. It repeals a provision of law allowing eel permits to be issued to trappers.
4. It clarifies that the holder of an individual permit for harvesting suckers, lampreys or yellow perch may purchase a crew permit that authorizes up to three persons to engage in the permitted activity.
5. It provides that the holder of a smelt or baitfish dealer license may not receive, possess for resale, sell or offer to sell gift baitfish or gift smelts.

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LD 1430 An Act To Allow Hunters Whose Religion Prohibits Wearing Hunter Orange Clothing To Instead Wear Red

Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THIBODEAU	ONTP OTP-AM	

This bill allows a hunter whose religion prohibits the wearing of hunter orange to instead wear red. It also directs the Department of Inland Fisheries and Wildlife to amend its rules to reflect this exemption.

Committee Amendment "A" (S-244)

This amendment, which is the minority report of the committee, provides that a person may substitute articles of red clothing with a specified excitation purity and luminance factor for articles of hunter orange clothing, as long as the person is hunting on the person's own land.

LD 1442 An Act To Establish a Bag Limit for Brook Trout on Portions of Webster Stream in Piscataquis County

**PUBLIC 234
EMERGENCY**

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

This bill was reported out by the Joint Standing Committee on Inland Fisheries and Wildlife pursuant to joint order, H.P. 953.

This bill provides for a daily bag limit of one brook trout for Webster Stream in Piscataquis County from the Telos Lake dam downstream to Webster Lake that is effective between August 16th and September 30th annually.

Enacted Law Summary

Public Law 2015, chapter 234 provides for a daily bag limit of one brook trout for Webster Stream in Piscataquis County from the Telos Lake dam downstream to Webster Lake that is effective between August 16th and September 30th annually.

Public Law 2015, chapter 234 was enacted as an emergency measure effective June 22, 2015.

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SUBJECT INDEX

Bear

Enacted

LD 399 An Act To Establish a Youth Bear Hunting Day PUBLIC 79
EMERGENCY

Not Enacted

LD 801 An Act To Ensure Safe and Humane Bear Hunting Practices ONTP
LD 887 An Act To Prohibit Hunting Bear Using Dogs and Trapping Bear ONTP

Constitutional Provisions

Not Enacted

LD 703 RESOLUTION, Proposing an Amendment to the Constitution of INDEF PP
Maine To Protect the People's Right To Hunt, Fish and Harvest
Wildlife
LD 753 RESOLUTION, Proposing an Amendment to the Constitution of INDEF PP
Maine To Establish the Right To Hunt and Fish

Crossbow

Enacted

LD 275 An Act To Allow the Use of a Crossbow for Recreational Target PUBLIC 71
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Permission
LD 400 An Act To Continue To Permit Persons 70 Years of Age and Older PUBLIC 42
To Hunt with a Crossbow EMERGENCY

Deer

Enacted

LD 142 An Act To Expand Deer Hunting Opportunities for Junior Hunters PUBLIC 219

Not Enacted

LD 608 An Act To Allow Junior, Senior and Veteran Hunters To Shoot ONTP
Antlerless Deer on the Opening Day of Hunting Season
LD 639 An Act To Allow Certain Youths To Take a Deer of Either Sex ONTP
LD 755 An Act Concerning Antler Restrictions ONTP
LD 849 Resolve, Directing the Department of Inland Fisheries and Wildlife Veto Sustained
To Examine the Use of an Antler Point Restriction System To
Increase the Age, Size and Number of Antlered Deer in Maine

LD 926 Resolve, To Increase the Number of Days a Junior Hunter May ONTP
Hunt Deer

Department of Inland Fisheries and Wildlife

Enacted

LD 570 An Act To Authorize the Commissioner of Inland Fisheries and PUBLIC 57
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LD 913 An Act To Expand Public Opportunities for Wildlife Management PUBLIC 245
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LD 1321 An Act To Expand the Landowner Relations Program at the PUBLIC 277
Department of Inland Fisheries and Wildlife

Not Enacted

LD 157 An Act To Create an Advisory Committee To Review and Make ONTP
Recommendations Regarding Hunting and Fishing Laws

LD 668 An Act To Market Maine's Hunting and Fishing Opportunities CARRIED OVER

LD 959 An Act To Amend the Membership of the Maine Outdoor Heritage ONTP
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Dogs and Dog Training

Enacted

LD 320 An Act Regarding the Tracking of Wounded Animals with a PUBLIC 90
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Not Enacted

LD 1239 An Act To Allow Persons To Train and Use Dogs To Hunt Coyotes ONTP

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Enacted

LD 807 An Act To Amend Maine's Threatened and Endangered Species PUBLIC 121
List

Not Enacted

LD 640 Resolve, To Establish a Working Group To Review the Incidental CARRIED OVER
Take Permitting Process under the Endangered Species Laws

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Enacted

LD 942 An Act To Permit the Use of Firearm Noise Suppression Devices in PUBLIC 262
Hunting and To Provide for a Chief Law Enforcement Officer's
Certification for Certain Firearms

Not Enacted

LD 424 An Act To Allow the Use of Suppressors for Hunting Nuisance ONTP
Wildlife

Fish and Fishing

Enacted

LD 1202	Resolve, To Ensure the Stocking of Inland Waters in the State	RESOLVE 53
LD 1296	An Act To Repeal Authorization for Smelt Fishing in Mud Brook in Aroostook County	PUBLIC 125 EMERGENCY
LD 1410	An Act To Strengthen Maine's Fisheries Laws	PUBLIC 298
LD 1442	An Act To Establish a Bag Limit for Brook Trout on Portions of Webster Stream in Piscataquis County	PUBLIC 234 EMERGENCY

Not Enacted

LD 158	Resolve, To Direct the Department of Inland Fisheries and Wildlife To Modify Fishing Rules for Webster Stream in Piscataquis County	ONTP
LD 257	An Act To Allow a Person To Take a 20-minute Break from Monitoring Ice Fishing Lines	ONTP
LD 610	An Act To Provide That Inland Waters Stocked with Fish by the State May Not Open for Ice Fishing until the Next January 1st	ONTP
LD 773	An Act To Allow Anadromous Fish Passage through Beaver Dams	Majority (ONTP) Report
LD 802	An Act To Allow the Breach or Removal of Beaver Dams That Obstruct Passage of Anadromous or Migratory Fish	ONTP
LD 906	Resolve, To Review Maine's Fish Stocking Rules	ONTP
LD 1102	Resolve, Establishing the Commission To Study the Needs, Opportunities and Efficiency Associated with the Production of Salmonid Sport Fish in Maine	Majority (ONTP) Report
LD 1232	Resolve, Directing the Department of Inland Fisheries and Wildlife To Amend Its Rules Regarding the Bag Limit on Smelts	Majority (ONTP) Report

Hunting

Not Enacted

LD 242	An Act To Allow Hunters To Wear Hunter Pink Instead of Hunter Orange in October in Recognition of Breast Cancer Awareness Month	Majority (ONTP) Report
LD 291	An Act To Allow the Hunting of Small Game Animals with a Slingshot	ONTP
LD 811	An Act To Benefit Senior Hunters	ONTP
LD 848	An Act To Increase the Safety of Hunting	ONTP
LD 1430	An Act To Allow Hunters Whose Religion Prohibits Wearing Hunter Orange Clothing To Instead Wear Red	Died Between Houses

Lake and River Protection - Invasive Species

Not Enacted

LD 907	An Act To Reduce Milfoil Infestations	ONTP
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Licenses and Permits

Enacted

LD 156	An Act To Eliminate the Minimum Age Requirement for a Junior Hunting License and Increase the Number of Times a Person May Hold an Apprentice Hunter License	PUBLIC 136
LD 256	An Act To Allow Nonresident College Students To Obtain Hunting, Fishing and Trapping Licenses at the Resident Fee and with Resident Privileges	PUBLIC 226
LD 1409	An Act To Clarify and Simplify the Licensing and Registration Provisions of the Inland Fisheries and Wildlife Laws	PUBLIC 281

Not Enacted

LD 609	An Act To Provide an Incentive to Nonresident Landowners Who Own More than 250 Acres To Keep That Land Open for Hunting	CARRIED OVER
LD 1226	An Act To Establish a Comprehensive Hunting License	Majority (ONTP) Report

Maine Tribes

Not Enacted

LD 888	An Act To Recognize and Provide for the Right To Hunt for Sustenance in Aroostook County for Maliseet and Micmac Tribal Members and Disabled Veterans	Majority (ONTP) Report
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Moose

Enacted

LD 373	An Act To Allow a Moose Permit To Be Transferred to a Family Member	PUBLIC 95
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Not Enacted

LD 134	Resolve, To Study the Impact of Winter Ticks on the State's Moose Population	Veto Sustained
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Omnibus

Enacted

LD 1196	An Act To Correct and Clarify Maine's Fish and Wildlife Laws	PUBLIC 301
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Snowmobiles and All-terrain Vehicles

Enacted

LD 88	An Act To Authorize Snowmobile Registration Reciprocity with the Provinces of New Brunswick and Quebec	PUBLIC 130
LD 716	An Act To Amend the Fees for Snowmobile Registrations and To Create the Snowmobile Trail Fund Donation Sticker	PUBLIC 237 EMERGENCY

Not Enacted

LD 561	An Act To Recognize the Registrations of Snowmobiles and All-terrain Vehicles Owned by Residents of a State That Borders Maine	ONTP
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LD 723	An Act To Allow Reciprocal Recognition of New Hampshire and Maine Snowmobile Registrations	ONTP
LD 1056	An Act To Exempt the Sale of Snowmobiles to Nonresidents from Sales Tax	Died Between Houses

Sunday Hunting

Not Enacted

LD 296	An Act To Increase Economic Development in Rural Communities by Expanding Hunting Opportunities	Majority (ONTP) Report
LD 479	An Act To Allow Hunting on Sunday with the Landowner's Written Consent	Majority (ONTP) Report
LD 691	An Act To Allow Sunday Hunting for Coyotes in Northern Maine	Report A (ONTP)
LD 799	An Act To Stimulate the Economy and Invigorate the Hunting Industry by Establishing a Pilot Project To Allow Hunting on Sundays in Limited Areas	Majority (ONTP) Report

Swim Areas

Enacted

LD 1225	An Act Concerning Swim Area Permits	PUBLIC 252
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Not Enacted

LD 126	An Act To Restrict Swim Areas	INDEF PP
LD 480	An Act To Allow Condominium and Homeowners Associations To Establish Swim Areas	Died Between Houses

Watercraft

Enacted

LD 22	An Act Regarding the Removal of Moorings and Floating Docks in Great Ponds During Ice-in Conditions	PUBLIC 105
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Not Enacted

LD 571	Resolve, To Study the Need for a Standard Formula for the Horsepower of Motors Used on the Lakes and Ponds of the State	Majority (ONTP) Report
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Wild Turkey

Enacted

LD 781	An Act To Expand Turkey Hunting Opportunities	PUBLIC 127
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Wildlife in Captivity

Enacted

LD 1369	An Act To Restructure the Permitting Process for Wildlife and Exotic Species in Captivity	PUBLIC 374
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Not Enacted

LD 746	An Act Regarding Captive Amphibian and Reptile Permits	ONTP
LD 833	Resolve, To Direct the Department of Inland Fisheries and Wildlife To Add Koi to the List of Fish Approved for Aquariums	ONTP

**127th LEGISLATURE
FIRST REGULAR SESSION**

Summary of Committee Actions

	<u>Number</u>	<u>% of All Bills/Papers</u>
I. BILLS AND PAPERS CONSIDERED		
A. Bills referred to Committee		
<i>Bills referred and voted out and not carried over</i>	1251	86.0%
<i>Bills Carried Over to next session</i>	176 *	12.1%
Total Bills referred	1427	98.1%
B. Bills reported out by law or joint order and not referred back to committee	8	0.5%
C. Bills introduced without reference	20	1.4%
D. <u>Bills referred, but not reported out</u>	<u>0</u>	
Total Bills considered by Legislature	1455	100.0%
E. Orders and Resolutions Referred to Committee		
<i>Joint Study Orders</i>	0	
<i>Joint Resolutions/Orders referred and voted out (SLG)</i>	2	
<i>Orders and Resolutions Carried Over to next session</i>	<u>0</u>	0.0%
Total Orders and Resolutions Referred	2	0.1%
II. BILLS AND PAPERS REPORTED OUT OF COMMITTEES		
	<u>Number</u>	<u>% of All Committee Reports</u>
A. Unanimous committee reports		
<i>Ought to Pass</i>	82	6.4%
<i>Ought to Pass as Amended</i>	363	28.2%
<i>Leave to Withdraw</i>	18	1.4%
<i><u>Ought Not to Pass</u></i>	<u>460</u>	<u>35.8%</u>
Total unanimous reports	923	71.8%
B. Divided committee reports		
<i>Two-way reports</i>	350	27.2%
<i>Three-way reports</i>	11	0.9%
<i><u>Four-way reports</u></i>	<u>0</u>	<u>0.0%</u>
Total divided reports	361	28.1%
Total Committee reports	1286	89.5%
III. CONFIRMATION HEARINGS	28	N/A
IV. FINAL DISPOSITION		
	<u>Number</u>	<u>% of All Bills/Rules</u>
A. Bills and Papers enacted or finally passed		
<i>Joint Study Orders</i>	1	0.0%
<i>Public laws</i>	377	25.9%
<i>Private and Special Laws</i>	11	0.8%
<i>Resolves</i>	54	3.7%
<i><u>Constitutional Resolutions</u></i>	<u>0</u>	<u>0.0%</u>
Total Enacted or Finally Passed	443	30.4%
B. Resolves to authorize major substantive rules		
Rules authorized without legislative changes	8	42.1%
Rules authorized with legislative changes	6	31.6%
Rules carried over to next session	2	
<i><u>Rules not authorized by the Legislature</u></i>	<u>3</u>	<u>15.8%</u>
Total number of rules reviewed	19	100.0%
C. Bills vetoed or held by Governor		
<i>Vetoed over-ridden</i>	127	8.7%
<i>Vetoed sustained</i>	53	3.6%
<i><u>Held by the Governor</u></i>	<u>1</u>	<u>0.1%</u>
Total	181	12.4%

* Total number of bills carried over to the next session includes 25 bills reported out of various committees and then carried over on the Special Appropriations Table by SP 555.

**127th LEGISLATURE
AGRICULTURE, CONSERVATION AND FORESTRY**

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out and not carried over</i>	48	87.3%	3.3%
<u><i>Bills Carried Over to next session</i></u>	7 *	12.7%	0.5%
Total Bills referred	55	100.0%	3.8%
B. Bills reported out by law or joint order and not referred back to committee	0	0.0%	0.0%
Total Bills considered by Committee	55	100.0%	3.8%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions referred and voted out</i>	0	0.0%	0.0%
<i>Orders and Resolutions Carried Over</i>	0	0.0%	0.0%
Total Orders and Resolutions Referred	0	0.0%	0.0%
II. COMMITTEE REPORTS	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
A. Unanimous committee reports			
<i>Ought to Pass</i>	6	12.2%	0.5%
<i>Ought to Pass as Amended</i>	13	26.5%	1.0%
<i>Leave to Withdraw</i>	0	0.0%	0.0%
<i>Ought Not to Pass</i>	19	38.8%	1.5%
Total unanimous reports	38	77.6%	3.0%
B. Divided committee reports			
<i>Two-way reports</i>	11	22.4%	0.9%
<i>Three-way reports</i>	0	0.0%	0.0%
<i>Four-way reports</i>	0	0.0%	0.0%
Total divided reports	11	22.4%	0.9%
Total committee reports	49	89.1%	3.8%
III. CONFIRMATION HEARINGS	1	N/A	N/A
IV. FINAL DISPOSITION	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	12	21.8%	0.8%
<i>Private and Special Laws</i>	1	1.8%	0.1%
<i>Resolves</i>	5	9.1%	0.3%
<u><i>Constitutional Resolutions</i></u>	0	0.0%	0.0%
Total Enacted or Finally Passed	18	32.7%	1.2%
B. Major substantive rules			
<i>Authorized without legislative changes</i>	3	100.0%	15.8%
<i>Authorized with legislative changes</i>	0	0.0%	0.0%
<i>Rules carried over to next session</i>	0		
<u><i>Not authorized by the Legislature</i></u>	0	0.0%	0.0%
Total number of rules reviewed	3	100.0%	15.8%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	1	1.8%	0.1%
<i>Vetoed sustained</i>	1	1.8%	0.1%
<u><i>Held by the Governor</i></u>	0	0.0%	0.0%
Total	2	3.6%	0.1%

* Total number of bills carried over to the next session includes 1 bill reported out of the ACF Committee and then carried over on the Special Appropriations Table by SP 555.

**127th LEGISLATURE
APPROPRIATIONS AND FINANCIAL AFFAIRS**

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out</i>	20	32.8%	1.4%
<i><u>Bills Carried Over to next session</u></i>	<u>41</u>	<u>67.2%</u>	<u>2.8%</u>
Total Bills referred	61	100.0%	4.2%
B. Bills reported out by law or joint order and not referred back to committee	0	0.0%	0.0%
Total Bills considered by Committee	61	100.0%	4.2%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions referred and voted out</i>	0	0.0%	0.0%
<i>Orders and Resolutions Carried Over</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Orders and Resolutions Referred	0	0.0%	0.0%
II. COMMITTEE REPORTS	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
A. Unanimous committee reports			
<i>Ought to Pass</i>	0	0.0%	0.0%
<i>Ought to Pass as Amended</i>	6	30.0%	0.5%
<i>Leave to Withdraw</i>	0	0.0%	0.0%
<i><u>Ought Not to Pass</u></i>	<u>6</u>	<u>30.0%</u>	<u>0.5%</u>
Total unanimous reports	12	60.0%	0.9%
B. Divided committee reports			
<i>Two-way reports</i>	8	40.0%	0.6%
<i>Three-way reports</i>	0	0.0%	0.0%
<i>Four-way reports</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total divided reports	8	40.0%	0.6%
Total committee reports	20	32.8%	1.6%
III. CONFIRMATION HEARINGS	1	N/A	N/A
IV. FINAL DISPOSITION	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	9	14.8%	0.6%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	1	1.6%	0.1%
<i><u>Constitutional Resolutions</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Enacted or Finally Passed	10	16.4%	0.7%
B. Resolves to authorize major substantive rules			
<i>Rules authorized without legislative changes</i>	0	0.0%	0.0%
<i>Rules authorized with legislative changes</i>	0	0.0%	0.0%
<i><u>Rules not authorized by the Legislature</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total number of rules reviewed	0	0.0%	0.0%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	1	1.6%	0.1%
<i>Vetoed sustained</i>	0	0.0%	0.0%
<i><u>Held by the Governor</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total	1	1.6%	0.1%

**127th LEGISLATURE
CRIMINAL JUSTICE AND PUBLIC SAFETY**

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out and not carried over</i>	76	90.5%	5.2%
<u><i>Bills Carried Over to next session</i></u>	<u>7</u> *	<u>8.3%</u>	<u>0.5%</u>
Total Bills referred	83	98.8%	5.7%
B. Bills reported out by law or joint order and not referred back to committee	1	1.2%	0.1%
Total Bills considered by Committee	84	100.0%	5.8%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions/Orders referred and voted out</i>	0	0.0%	0.0%
<i>Orders and Resolutions Carried Over</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Orders and Resolutions Referred	0	0.0%	0.0%
II. COMMITTEE REPORTS	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
A. Unanimous committee reports			
<i>Ought to Pass</i>	6	7.7%	0.5%
<i>Ought to Pass as Amended</i>	19	24.4%	1.5%
<i>Leave to Withdraw</i>	1	1.3%	0.1%
<u><i>Ought Not to Pass</i></u>	<u>12</u>	<u>15.4%</u>	<u>0.9%</u>
Total unanimous reports	38	48.7%	3.0%
B. Divided committee reports			
<i>Two-way reports</i>	37	47.4%	2.9%
<i>Three-way reports</i>	3	3.8%	0.2%
<u><i>Four-way reports</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total divided reports	40	51.3%	3.1%
Total committee reports	78	92.9%	6.1%
III. CONFIRMATION HEARINGS	1	N/A	N/A
IV. FINAL DISPOSITION	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	33	39.3%	2.3%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	2	2.4%	0.1%
<u><i>Constitutional Resolutions</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Enacted or Finally Passed	35	41.7%	2.4%
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	0	0.0%	0.0%
<u>Rules not authorized by the Legislature</u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total number of rules reviewed	0	0.0%	0.0%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	8	9.5%	0.5%
<i>Vetoed sustained</i>	4	4.8%	0.3%
<u><i>Held by the Governor</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total	12	14.3%	0.8%

* Total number of bills carried over to the next session includes 1 bill reported out of the CJPS Committee and then carried over on the Special Appropriations Table by SP 555.

**127th LEGISLATURE
EDUCATION AND CULTURAL AFFAIRS**

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out and not carried over</i>	119 *	93.0%	8.2%
<u>Bills Carried Over to next session</u>	9 **	7.0%	0.6%
Total Bills referred	128	100.0%	8.8%
B. Bills reported out by law or joint order and not referred back to committee			
	0	0.0%	0.0%
Total Bills considered by Committee	128	100.0%	8.8%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions referred and voted out</i>	0	0.0%	0.0%
<i>Orders and Resolutions Carried Over</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Orders and Resolutions Referred	0	0.0%	0.0%
II. COMMITTEE REPORTS			
	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
A. Unanimous committee reports			
<i>Ought to Pass</i>	5	4.1%	0.4%
<i>Ought to Pass as Amended</i>	40	32.8%	3.1%
<i>Leave to Withdraw</i>	1	0.8%	0.1%
<u>Ought Not to Pass</u>	<u>47</u>	<u>38.5%</u>	<u>3.7%</u>
Total unanimous reports	93	76.2%	7.2%
B. Divided committee reports			
<i>Two-way reports</i>	29	23.8%	2.3%
<i>Three-way reports</i>	0	0.0%	0.0%
<u>Four-way reports</u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total divided reports	29	23.8%	2.3%
Total committee reports	122	95.3%	9.5%
III. CONFIRMATION HEARINGS			
	3	N/A	N/A
IV. FINAL DISPOSITION			
	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	28	21.9%	1.9%
<i>Private and Special Laws</i>	2	1.6%	0.1%
<i>Resolves</i>	6	4.7%	0.4%
<u>Constitutional Resolutions</u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Enacted or Finally Passed	36	28.1%	2.5%
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	1	33.3%	5.3%
<u>Rules not authorized by the Legislature</u>	<u>2</u>	<u>66.7%</u>	<u>10.5%</u>
Total number of rules reviewed	3	100.0%	15.8%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	12	9.4%	0.8%
<i>Vetoed sustained</i>	5	3.9%	0.3%
<u>Held by the Governor</u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total	17	13.3%	1.2%

* Total bills referred and reported out does not include LD 784, which was voted out of the EDU Committee, but later recommitted to the AFA Committee and then carried over to the next session.

** Total number of bills carried over to the next session includes 3 bills reported out of the EDU Committee and then carried over on the Special Appropriations Table by SP 555.

**127th LEGISLATURE
ENERGY AND UTILITIES**

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out</i>	63	82.9%	4.3%
<i><u>Bills Carried Over to next session</u></i>	<u>12</u>	<u>15.8%</u>	<u>0.8%</u>
Total Bills referred	75	98.7%	5.2%
B. Bills reported out by law or joint order and not referred back to committee	1	1.3%	0.1%
Total Bills considered by Committee	76	100.0%	5.2%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions referred and voted out</i>	0	0.0%	0.0%
<i><u>Orders and Resolutions Carried Over</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Orders and Resolutions Referred	0	0.0%	0.0%
		<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
II. COMMITTEE REPORTS	<u>Number</u>		
A. Unanimous committee reports			
<i>Ought to Pass</i>	4	6.3%	0.3%
<i>Ought to Pass as Amended</i>	23	35.9%	1.8%
<i>Leave to Withdraw</i>	0	0.0%	0.0%
<i><u>Ought Not to Pass</u></i>	<u>22</u>	<u>34.4%</u>	<u>1.7%</u>
Total unanimous reports	49	76.6%	3.8%
B. Divided committee reports			
<i>Two-way reports</i>	14	21.9%	1.1%
<i>Three-way reports</i>	1	1.6%	0.1%
<i><u>Four-way reports</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total divided reports	15	23.4%	1.2%
Total committee reports	64	84.2%	5.0%
III. CONFIRMATION HEARINGS	1	N/A	N/A
		<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
IV. FINAL DISPOSITION	<u>Number</u>		
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	17	22.4%	1.2%
<i>Private and Special Laws</i>	5	6.6%	0.3%
<i>Resolves</i>	4	5.3%	0.3%
<i><u>Constitutional Resolutions</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Enacted or Finally Passed	26	34.2%	1.8%
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	1	100.0%	5.3%
Rules carried over to next session	0		
<i><u>Rules not authorized by the Legislature</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total number of rules reviewed	1	100.0%	5.3%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	8	10.5%	0.5%
<i>Vetoed sustained</i>	3	3.9%	0.2%
<i><u>Held by the Governor</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total	11	14.5%	0.8%

**127th LEGISLATURE
ENVIRONMENT AND NATURAL RESOURCES**

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out</i>	48	90.6%	3.3%
<u><i>Bills Carried Over to next session</i></u>	4	7.5%	0.3%
Total Bills referred	52	98.1%	3.6%
B. Bills reported out by law or joint order and not referred back to committee	1	1.9%	0.1%
Total Bills considered by Committee	53	100.0%	3.6%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions referred and voted out</i>	0	0.0%	0.0%
<u><i>Orders and Resolutions Carried Over</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Orders and Resolutions Referred	0	0.0%	0.0%
II. COMMITTEE REPORTS	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
A. Unanimous committee reports			
<i>Ought to Pass</i>	4	8.2%	0.3%
<i>Ought to Pass as Amended</i>	15	30.6%	1.2%
<i>Leave to Withdraw</i>	2	4.1%	0.2%
<u><i>Ought Not to Pass</i></u>	<u>19</u>	<u>38.8%</u>	<u>1.5%</u>
Total unanimous reports	40	81.6%	3.1%
B. Divided committee reports			
<i>Two-way reports</i>	9	18.4%	0.7%
<i>Three-way reports</i>	0	0.0%	0.0%
<u><i>Four-way reports</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total divided reports	9	18.4%	0.7%
Total committee reports	49	92.5%	3.8%
III. CONFIRMATION HEARINGS	0	N/A	N/A
IV. FINAL DISPOSITION	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	17	32.1%	1.2%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	3	5.7%	0.2%
<u><i>Constitutional Resolutions</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Enacted or Finally Passed	20	37.7%	1.4%
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	2	50.0%	10.5%
Rules authorized with legislative changes	1	25.0%	5.3%
<u>Rules not authorized by the Legislature</u>	<u>1</u>	<u>25.0%</u>	<u>5.3%</u>
Total number of rules reviewed	4	100.0%	21.1%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	0	0.0%	0.0%
<i>Vetoed sustained</i>	1	1.9%	0.1%
<u><i>Held by the Governor</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total	1	1.9%	0.1%

**127th LEGISLATURE
HEALTH AND HUMAN SERVICES**

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out and not carried over</i>	146	86.9%	10.0%
<u><i>Bills Carried Over to next session</i></u>	22 *	13.1%	1.5%
Total Bills referred	168	100.0%	11.5%
B. Bills reported out by law or joint order and not referred back to committee			
	0	0.0%	0.0%
Total Bills considered by Committee	168	100.0%	11.5%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions referred and voted out</i>	0	0.0%	0.0%
<i>Orders and Resolutions Carried Over</i>	0	0.0%	0.0%
Total Orders and Resolutions Referred	0	0.0%	0.0%
II. COMMITTEE REPORTS	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
A. Unanimous committee reports			
<i>Ought to Pass</i>	6	4.0%	0.5%
<i>Ought to Pass as Amended</i>	34	22.5%	2.6%
<i>Leave to Withdraw</i>	4	2.6%	0.3%
<u><i>Ought Not to Pass</i></u>	51	33.8%	4.0%
Total unanimous reports	95	62.9%	7.4%
B. Divided committee reports			
<i>Two-way reports</i>	52	34.4%	4.0%
<i>Three-way reports</i>	4	2.6%	0.3%
<u><i>Four-way reports</i></u>	0	0.0%	0.0%
Total divided reports	56	37.1%	4.4%
Total committee reports	151	89.9%	11.7%
III. CONFIRMATION HEARINGS			
	0	N/A	N/A
IV. FINAL DISPOSITION	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	27	16.1%	1.9%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	14	8.3%	1.0%
<u><i>Constitutional Resolutions</i></u>	0	0.0%	0.0%
Total Enacted or Finally Passed	41	24.4%	2.8%
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	3	100.0%	15.8%
Rules authorized with legislative changes	0	0.0%	0.0%
<u>Rules not authorized by the Legislature</u>	0	0.0%	0.0%
Total number of rules reviewed	3	100.0%	15.8%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	16	9.5%	1.1%
<i>Vetoed sustained</i>	9	5.4%	0.6%
<u><i>Held by the Governor</i></u>	0	0.0%	0.0%
Total	25	14.9%	1.7%

* Total number of bills carried over to the next session includes 5 bills reported out of the HHS Committee and then carried over on the Special Appropriations Table by SP 555.

**127th LEGISLATURE
INSURANCE AND FINANCIAL SERVICES**

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out</i>	45	88.2%	3.1%
<i>Bills Carried Over to next session</i>	6	11.8%	0.4%
Total Bills referred	51	100.0%	3.5%
B. Bills reported out by law or joint order and not referred back to committee	0	0.0%	0.0%
Total Bills considered by Committee	51	100.0%	3.5%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions referred and voted out</i>	0	0.0%	0.0%
<i>Orders and Resolutions Carried Over</i>	0	0.0%	0.0%
Total Orders and Resolutions Referred	0	0.0%	0.0%
II. COMMITTEE REPORTS	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
A. Unanimous committee reports			
<i>Ought to Pass</i>	2	4.4%	0.2%
<i>Ought to Pass as Amended</i>	15	33.3%	1.2%
<i>Leave to Withdraw</i>	0	0.0%	0.0%
<i>Ought Not to Pass</i>	11	24.4%	0.9%
Total unanimous reports	28	62.2%	2.2%
B. Divided committee reports			
<i>Two-way reports</i>	17	37.8%	1.3%
<i>Three-way reports</i>	0	0.0%	0.0%
<i>Four-way reports</i>	0	0.0%	0.0%
Total divided reports	17	37.8%	1.3%
Total committee reports	45	88.2%	3.5%
III. CONFIRMATION HEARINGS	2	N/A	N/A
IV. FINAL DISPOSITION	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	20	39.2%	1.4%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	0	0.0%	0.0%
<i>Constitutional Resolutions</i>	0	0.0%	0.0%
Total Enacted or Finally Passed	20	39.2%	1.4%
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	0	0.0%	0.0%
Rules not authorized by the Legislature	0	0.0%	0.0%
Total number of rules reviewed	0	0.0%	0.0%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	6	11.8%	0.4%
<i>Vetoed sustained</i>	4	7.8%	0.3%
<i>Held by the Governor</i>	0	0.0%	0.0%
Total	10	19.6%	0.7%

**127th LEGISLATURE
INLAND FISHERIES AND WILDLIFE**

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out</i>	64	94.1%	4.4%
<i>Bills Carried Over to next session</i>	<u>3</u>	<u>4.4%</u>	<u>0.2%</u>
Total Bills referred	67	98.5%	4.6%
B. Bills reported out by law or joint order and not referred back to committee	1	1.5%	0.1%
Total Bills considered by Committee	68	100.0%	4.7%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions referred and voted out</i>	0	0.0%	0.0%
<i>Orders and Resolutions Carried Over</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Orders and Resolutions Referred	0	0.0%	0.0%
II. COMMITTEE REPORTS	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
A. Unanimous committee reports			
<i>Ought to Pass</i>	5	7.7%	0.4%
<i>Ought to Pass as Amended</i>	14	21.5%	1.1%
<i>Leave to Withdraw</i>	0	0.0%	0.0%
<i>Ought Not to Pass</i>	<u>23</u>	<u>35.4%</u>	<u>1.8%</u>
Total unanimous reports	42	64.6%	3.3%
B. Divided committee reports			
<i>Two-way reports</i>	22	33.8%	1.7%
<i>Three-way reports</i>	1	1.5%	0.1%
<i>Four-way reports</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total divided reports	23	35.4%	1.8%
Total committee reports	65	95.6%	5.1%
III. CONFIRMATION HEARINGS	0	N/A	N/A
IV. FINAL DISPOSITION	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	23	33.8%	1.6%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	1	1.5%	0.1%
<i>Constitutional Resolutions</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Enacted or Finally Passed	24	35.3%	1.6%
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	0	0.0%	0.0%
<u>Rules not authorized by the Legislature</u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total number of rules reviewed	0	0.0%	0.0%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	9	13.2%	0.6%
<i>Vetoed sustained</i>	2	2.9%	0.1%
<i>Held by the Governor</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total	11	16.2%	0.8%

**127th LEGISLATURE
JUDICIARY**

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out</i>	108	85.7%	7.4%
<i><u>Bills Carried Over to next session</u></i>	18	14.3%	1.2%
Total Bills referred	126	100.0%	8.7%
B. Bills reported out by law or joint order and not referred back to committee	0	0.0%	0.0%
Total Bills considered by Committee	126	100.0%	8.7%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions/Orders referred and voted out</i>	0	0.0%	0.0%
<i>Orders and Resolutions Carried Over</i>	0	0.0%	0.0%
Total Orders and Resolutions Referred	0	0.0%	0.0%
II. COMMITTEE REPORTS	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
A. Unanimous committee reports			
<i>Ought to Pass</i>	12	11.1%	0.9%
<i>Ought to Pass as Amended</i>	50	46.3%	3.9%
<i>Leave to Withdraw</i>	1	0.9%	0.1%
<i>Ought Not to Pass</i>	24	22.2%	1.9%
Total unanimous reports	87	80.6%	6.8%
B. Divided committee reports			
<i>Two-way reports</i>	21	19.4%	1.6%
<i>Three-way reports</i>	0	0.0%	0.0%
<i>Four-way reports</i>	0	0.0%	0.0%
Total divided reports	21	19.4%	1.6%
Total committee reports	108	85.7%	8.4%
III. CONFIRMATION HEARINGS	17	N/A	N/A
IV. FINAL DISPOSITION	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	56	44.4%	3.8%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	2	1.6%	0.1%
<i><u>Constitutional Resolutions</u></i>	0	0.0%	0.0%
Total Enacted or Finally Passed	58	46.0%	4.0%
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	1	33.3%	5.3%
Rules carried over to the next session	2	0.0%	0.0%
<i><u>Rules not authorized by the Legislature</u></i>	0	0.0%	0.0%
Total number of rules reviewed	3	100.0%	15.8%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	30	23.8%	2.1%
<i>Vetoed sustained</i>	4	3.2%	0.3%
<i><u>Held by the Governor</u></i>	0	0.0%	0.0%
Total	34	27.0%	2.3%

**127th LEGISLATURE
LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT**

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out and not carried over</i>	141	92.8%	9.7%
<u><i>Bills Carried Over to next session</i></u>	<u>10</u> *	<u>6.6%</u>	<u>0.7%</u>
Total Bills referred	151	99.3%	10.4%
B. Bills reported out by law or joint order and not referred back to committee	1	0.7%	0.1%
Total Bills considered by Committee	152	100.0%	10.4%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions referred and voted out</i>	0	0.0%	0.0%
<u><i>Orders and Resolutions Carried Over</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Orders and Resolutions Referred	0	0.0%	0.0%
II. COMMITTEE REPORTS	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
A. Unanimous committee reports			
<i>Ought to Pass</i>	9	6.2%	0.7%
<i>Ought to Pass as Amended</i>	26	17.9%	2.0%
<i>Leave to Withdraw</i>	4	2.8%	0.3%
<u><i>Ought Not to Pass</i></u>	<u>51</u>	<u>35.2%</u>	<u>4.0%</u>
Total unanimous reports	90	62.1%	7.0%
B. Divided committee reports			
<i>Two-way reports</i>	54	37.2%	4.2%
<i>Three-way reports</i>	1	0.7%	0.1%
<u><i>Four-way reports</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total divided reports	55	37.9%	4.3%
Total committee reports	145	95.4%	11.3%
III. CONFIRMATION HEARINGS	1	N/A	N/A
IV. FINAL DISPOSITION	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	38	25.0%	2.6%
<i>Private and Special Laws</i>	1	0.7%	0.1%
<i>Resolves</i>	0	0.0%	0.0%
<u><i>Constitutional Resolutions</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Enacted or Finally Passed	39	25.7%	2.7%
B. Resolves to authorize major substantive rules			
<i>Rules authorized without legislative changes</i>	0	0.0%	0.0%
<i>Rules authorized with legislative changes</i>	0	0.0%	0.0%
<u><i>Rules not authorized by the Legislature</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total number of rules reviewed	0	0.0%	0.0%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	12	7.9%	0.8%
<i>Vetoed sustained</i>	5	3.3%	0.3%
<u><i>Held by the Governor</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total	17	11.2%	1.2%

* Total number of bills carried over to the next session includes 3 bills reported out of the LCRED Committee and then carried over on the Special Appropriations Table by SP 555.

**127th LEGISLATURE
MARINE RESOURCES**

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out</i>	25	89.3%	1.7%
<i><u>Bills Carried Over to next session</u></i>	<u>3</u>	<u>10.7%</u>	<u>0.2%</u>
Total Bills referred	28	100.0%	1.9%
B. Bills reported out by law or joint order and not referred back to committee	0	0.0%	0.0%
Total Bills considered by Committee	28	100.0%	1.9%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions referred and voted out</i>	0	0.0%	0.0%
<i>Orders and Resolutions Carried Over</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Orders and Resolutions Referred	0	0.0%	0.0%
		<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
II. COMMITTEE REPORTS	<u>Number</u>		
A. Unanimous committee reports			
<i>Ought to Pass</i>	1	4.0%	0.1%
<i>Ought to Pass as Amended</i>	10	40.0%	0.8%
<i>Leave to Withdraw</i>	1	4.0%	0.1%
<i><u>Ought Not to Pass</u></i>	<u>9</u>	<u>36.0%</u>	<u>0.7%</u>
Total unanimous reports	21	84.0%	1.6%
B. Divided committee reports			
<i>Two-way reports</i>	4	16.0%	0.3%
<i>Three-way reports</i>	0	0.0%	0.0%
<i>Four-way reports</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total divided reports	4	16.0%	0.3%
Total committee reports	25	89.3%	1.9%
III. CONFIRMATION HEARINGS	0	N/A	N/A
		<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
IV. FINAL DISPOSITION	<u>Number</u>		
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	10	35.7%	0.7%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	0	0.0%	0.0%
<i><u>Constitutional Resolutions</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Enacted or Finally Passed	10	35.7%	0.7%
B. Resolves to authorize major substantive rules			
<i>Rules authorized without legislative changes</i>	0	0.0%	0.0%
<i>Rules authorized with legislative changes</i>	0	0.0%	0.0%
<i><u>Rules not authorized by the Legislature</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total number of rules reviewed	0	0.0%	0.0%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	1	3.6%	0.1%
<i>Vetoed sustained</i>	1	3.6%	0.1%
<i><u>Held by the Governor</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total	2	7.1%	0.1%

**127th LEGISLATURE
STATE AND LOCAL GOVERNMENT**

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out and not carried over</i>	60	88.2%	4.1%
<i><u>Bills Carried Over to next session</u></i>	<u>8</u> *	<u>11.8%</u>	<u>0.5%</u>
Total Bills referred	68	100.0%	4.7%
B. Bills reported out by law or joint order and not referred back to committee	0	0.0%	0.0%
Total Bills considered by Committee	68	100.0%	4.7%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions referred and voted out</i>	2	100.0%	0.0%
<i>Orders and Resolutions Carried Over</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Orders and Resolutions Referred	2	100.0%	0.0%
II. COMMITTEE REPORTS	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
A. Unanimous committee reports			
<i>Ought to Pass</i>	6	9.5%	0.5%
<i>Ought to Pass as Amended</i>	10	15.9%	0.8%
<i>Leave to Withdraw</i>	1	1.6%	0.1%
<i><u>Ought Not to Pass</u></i>	<u>15</u>	<u>23.8%</u>	<u>1.2%</u>
Total unanimous reports	32	50.8%	2.5%
B. Divided committee reports			
<i>Two-way reports</i>	31	49.2%	2.4%
<i>Three-way reports</i>	0	0.0%	0.0%
<i>Four-way reports</i>	0	0.0%	0.0%
Total divided reports	31	49.2%	2.4%
Total committee reports	63	90.0%	4.9%
III. CONFIRMATION HEARINGS	0	N/A	N/A
IV. FINAL DISPOSITION	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	14	20.6%	1.0%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	4	5.9%	0.3%
<i><u>Constitutional Resolutions</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Enacted or Finally Passed	18	26.5%	1.2%
B. Resolves to authorize major substantive rules			
<i>Rules authorized without legislative changes</i>	0	0.0%	0.0%
<i>Rules authorized with legislative changes</i>	0	0.0%	0.0%
<i><u>Rules not authorized by the Legislature</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total number of rules reviewed	0	0.0%	0.0%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	4	5.9%	0.3%
<i>Vetoed sustained</i>	3	4.4%	0.2%
<i><u>Held by the Governor</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total	7	10.3%	0.5%

* Total number of bills carried over to the next session includes 1 bill reported out of the SLG Committee and then carried over on the Special Appropriations Table by SP 555.

**127th LEGISLATURE
TAXATION**

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out and not carried over</i>	103	88.8%	7.1%
<u>Bills Carried Over to next session</u>	13 *	11.2%	0.9%
Total Bills referred	116	100.0%	8.0%
B. Bills reported out by law or joint order and not referred back to committee	0	0.0%	0.0%
Total Bills considered by Committee	116	100.0%	8.0%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions referred and voted out</i>	0	0.0%	0.0%
<i>Orders and Resolutions Carried Over</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Orders and Resolutions Referred	0	0.0%	0.0%
		% of this Committee's Reports	% of All Committee Reports
II. COMMITTEE REPORTS	<u>Number</u>		
A. Unanimous committee reports			
<i>Ought to Pass</i>	3	2.7%	0.2%
<i>Ought to Pass as Amended</i>	26	23.4%	2.0%
<i>Leave to Withdraw</i>	0	0.0%	0.0%
<u>Ought Not to Pass</u>	<u>61</u>	<u>55.0%</u>	<u>4.7%</u>
Total unanimous reports	90	81.1%	7.0%
B. Divided committee reports			
<i>Two-way reports</i>	20	18.0%	1.6%
<i>Three-way reports</i>	1	0.9%	0.1%
<u>Four-way reports</u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total divided reports	21	18.9%	1.6%
Total committee reports	111	95.7%	8.6%
III. CONFIRMATION HEARINGS	0	N/A	N/A
		% of Comm Bills/Papers	% of All Bills/Papers
IV. FINAL DISPOSITION	<u>Number</u>		
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	13	11.2%	0.9%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	2	1.7%	0.1%
<u>Constitutional Resolutions</u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Enacted or Finally Passed	15	12.9%	1.0%
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	0	0.0%	0.0%
<u>Rules not authorized by the Legislature</u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total number of rules reviewed	0	0.0%	0.0%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	3	2.6%	0.2%
<i>Vetoed sustained</i>	4	3.4%	0.3%
<u>Held by the Governor</u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total	7	6.0%	0.5%

* Total number of bills carried over to the next session includes 8 bills reported out of the TAX Committee and then carried over on the Special Appropriations Table by SP 555.

Prepared by the Office of Policy and Legal Analysis
127th Legislature, First Regular Session

**127th LEGISLATURE
TRANSPORTATION**

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out</i>	92	94.8%	6.3%
<i>Bills Carried Over to next session</i>	5 *	5.2%	0.3%
Total Bills referred	97	100.0%	6.7%
B. Bills reported out by law or joint order and not referred back to committee			
	0	0.0%	0.0%
Total Bills considered by Committee	97	100.0%	6.7%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions referred and voted out</i>	0	0.0%	0.0%
<i>Orders and Resolutions Carried Over</i>	0	0.0%	0.0%
Total Orders and Resolutions Referred	0	0.0%	0.0%
II. COMMITTEE REPORTS			
	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
A. Unanimous committee reports			
<i>Ought to Pass</i>	8	8.6%	0.6%
<i>Ought to Pass as Amended</i>	33	35.5%	2.6%
<i>Leave to Withdraw</i>	0	0.0%	0.0%
<i>Ought Not to Pass</i>	43	46.2%	3.3%
<i>Refer to another committee</i>	1	1.1%	0.1%
Total unanimous reports	85	91.4%	6.6%
B. Divided committee reports			
<i>Two-way reports</i>	8	8.6%	0.6%
<i>Three-way reports</i>	0	0.0%	0.0%
<i>Four-way reports</i>	0	0.0%	0.0%
Total divided reports	8	8.6%	0.6%
Total committee reports	93	95.9%	7.2%
III. CONFIRMATION HEARINGS			
	1	N/A	N/A
IV. FINAL DISPOSITION			
	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	24	24.7%	1.6%
<i>Private and Special Laws</i>	2	2.1%	0.1%
<i>Resolves</i>	8	8.2%	0.5%
<i>Constitutional Resolutions</i>	0	0.0%	0.0%
Total Enacted or Finally Passed	34	35.1%	2.3%
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	2	100.0%	10.5%
<u>Rules not authorized by the Legislature</u>	0	0.0%	0.0%
Total number of rules reviewed	2	100.0%	10.5%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	7	7.2%	0.5%
<i>Vetoed sustained</i>	3	3.1%	0.2%
<i>Held by the Governor</i>	0	0.0%	0.0%
Total	10	10.3%	0.7%

* Total number of bills carried over to the next session includes 1 bill reported out of the TRA Committee and then carried over on the Special Appropriations Table by SP 555.

**127th LEGISLATURE
VETERANS' AND LEGAL AFFAIRS**

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out</i>	93	89.4%	6.4%
<i>Bills Carried Over to next session</i>	8 *	7.7%	0.5%
Total Bills referred	101	97.1%	6.9%
B. Bills reported out by law or joint order and not referred back to committee	3	2.9%	0.2%
Total Bills considered by Committee	104	100.0%	7.1%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions referred and voted out</i>	0	0.0%	0.0%
<i>Orders and Resolutions Carried Over from previous session</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Orders and Resolutions Referred	0	0.0%	0.0%
II. COMMITTEE REPORTS	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
A. Unanimous committee reports			
<i>Ought to Pass</i>	5	5.1%	0.4%
<i>Ought to Pass as Amended</i>	29	29.6%	2.3%
<i>Leave to Withdraw</i>	3	3.1%	0.2%
<i>Ought Not to Pass</i>	<u>47</u>	<u>48.0%</u>	<u>3.7%</u>
Total unanimous reports	84	85.7%	6.5%
B. Divided committee reports			
<i>Two-way reports</i>	14	14.3%	1.1%
<i>Three-way reports</i>	0	0.0%	0.0%
<i>Four-way reports</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total divided reports	14	14.3%	1.1%
Total committee reports	98	94.2%	7.6%
III. CONFIRMATION HEARINGS	0	N/A	N/A
IV. FINAL DISPOSITION	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	25	24.0%	1.7%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	2	1.9%	0.1%
<i>Constitutional Resolutions</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Enacted or Finally Passed	27	26.0%	1.9%
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	0	0.0%	0.0%
<u>Rules not authorized by the Legislature</u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total number of rules reviewed	0	0.0%	0.0%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	6	5.8%	0.4%
<i>Vetoed sustained</i>	4	3.8%	0.3%
<i>Held by the Governor</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total	10	9.6%	0.7%

* Total number of bills carried over to the next session includes 2 bills reported out of the VLA Committee and then carried over on the Special Appropriations Table by SP 555.

APPENDIX B

INDEX OF BILLS

NOT REFERRED TO COMMITTEE

**BILLS NOT REFERRED:
COMMITTEE WHERE SUMMARY MAY BE FOUND**

<u>LD</u>	<u>TITLE</u>	<u>COMMITTEE</u>
33	An Act To Strengthen the Maine Clean Election Act, Improve Disclosure and Make Other Changes to the Campaign Finance Laws	Veterans and Legal Affairs
126	An Act To Restrict Swim Areas	Inland Fisheries and Wildlife
194	An Act To Authorize a General Fund Bond Issue To Encourage Access to Workforce Training and Job Creation	Appropriations and Financial Affairs
241	Resolve, Regarding Metallic Mineral Mining Rules of the Department of Environmental Protection	Environment and Natural Resources
450	An Act To Amend the Laws Regarding the Fund for the Efficient Delivery of Local and Regional Services	State and Local Government
457	An Act To Redistribute the Agricultural Fair Support Fund	Agriculture, Conservation and Forestry
480	An Act To Allow Condominium and Homeowners Associations To Establish Swim Areas	Inland Fisheries and Wildlife
806	An Act To Strengthen the Maine Clean Election Act, Improve Disclosure and Make Other Changes to the Campaign Finance Laws	Veterans and Legal Affairs
918	An Act To Allow Licensed Independent Practice Dental Hygienists To Expose and Process Radiographs under Protocols Developed by the Board of Dental Examiners	Labor, Commerce, Research and Economic Development
968	An Act To Expand Access to Affordable Higher Education and To Strengthen Workforce Development	Education and Cultural Affairs
1024	An Act To Preserve Agricultural Fairs	Agriculture, Conservation and Forestry
1135	An Act Regarding the Requirements for Sprinkler Systems in Townhouses	Criminal Justice and Public Safety
1216	An Act To Improve the Authority of Guardians of Persons with Intellectual Disabilities or Autism	Judiciary
1275	An Act Regarding Notice to the Public Pertaining to a Resident Person Deported from Canada to the United States for Committing a Sex Offense against a Child	Criminal Justice and Public Safety
1427	Resolve, Regarding the Department of Environmental Protection's Rule Chapter 500: Stormwater Management	Environment and Natural Resources

**BILLS NOT REFERRED:
COMMITTEE WHERE SUMMARY MAY BE FOUND**

<u>LD</u>	<u>TITLE</u>	<u>COMMITTEE</u>
1429	An Act To Amend the Laws Regarding On-premises and Off-premises Liquor Licenses	Veterans and Legal Affairs
1435	An Act Regarding Ethanol-free Motor Fuel	Environment and Natural Resources
1442	An Act To Establish a Bag Limit for Brook Trout on Portions of Webster Stream in Piscataquis County	Inland Fisheries and Wildlife
1444	An Act To Correct an Inconsistency in the So-called Dig Safe Law	Energy, Utilities and Technology
1446	An Act To Authorize a Casino To Benefit Federally Recognized Indian Tribes in the State	Veterans and Legal Affairs
1448	An Act To Amend Education Laws	Education and Cultural Affairs
1449	An Act To Amend the State Election Laws	Veterans and Legal Affairs
1450	An Act To Enact an Interim Budget	Appropriations and Financial Affairs
1451	An Act To Fund the Agreement with Certain Judicial Department Employees	Appropriations and Financial Affairs
1452	An Act To Make Technical Changes to Recently Enacted Legislation	Appropriations and Financial Affairs
1453	An Act To Fund Agreements with Bargaining Units for Certain Executive Branch Employees and Ensure Equitable Treatment for Other Executive Branch Employees	Appropriations and Financial Affairs
1454	Resolve, Reauthorizing the Balance of the 2009 Bond Issue for Land Conservation Projects	Appropriations and Financial Affairs
1455	An Act To Make a Technical Correction to a Recently Enacted Law Regarding the Appointment of District Court Judges	Judiciary