

MACSP

127th Legislature Second Regular Session

May 5, 2016

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This has been a very confusing session. The summary - by LD number follows, but I decided to add this summary to, hopefully, give you some context.

Citizen petitions: There were two petitions this session which resulted in the Health and Human Services Committee holding public hearings and submitting legislation as a result. Both petitions asked for regulation review. This is a very rare occurrence and the Committee actually developed procedure as they went along.

1. Petition to review proposed changes to Section 21 - the SIS initiated: Over 1500 people either signed to formal petition or signed on to a letter of support. After several days of public hearings and work sessions, the majority of the Committee (8 in favor and 5 opposed) voted to submit a bill to make Chapter 2 of Section 21 major substantive in addition to Chapter 3.

The bill - LD 1682 - was passed in both the House and Senate, but was vetoed by the Governor. The House failed to override the veto. Karen Vachon was the only Republican to vote to override the veto.

2. Petition to review recently promulgated rule changes to Section 17: This petition was initiated by a single individual who was harmed by the changes to the rule. The Committee held two separate sessions of testimony from the public. They submitted a bill - LD 1698. The Committee was able to reach a compromise between the two parties and the Department which resulted in a UOTP vote for the amended bill. This bill passed both houses of the Legislature and became law without the Governor's signature. It is now Resolve, Chapter 82.

LD 1572: Gun Ownership: This bill was passed and signed by the Governor and it may have some impact on some of our members. It prohibits "public housing owners" from discriminating against gun owning tenants by having lease agreements which prohibit the owning of guns. The bill defines public housing as housing which receives HUD subsidies. It does allow landlords to make rules about gun possession in communal areas. It also states that the law does not apply in situations where there is a Federal prohibition against guns. I recommend that MACSP contact CMS regarding the issue and also seek legal advice to assist in interpretation of gun possession by individuals served.

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LEGISLATIVE SUMMARY:

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LD	Title/Sponsor	Final Status
475	Resolve, to increase certain services to certain MaineCare recipients to allow them to stay at home longer, Rep. Stuckey	Died between houses - DEAD
949	An act to implement recommendations of the Commission on independent living and disability, McLellan	UOTPA, vetoed by the Governor, veto overridden PL chapter 542
1240	An act to phase out payment of subminimum wage for persons with disabilities, Katz	UONTP DEAD
1421	An act to establish a tax-free savings program for persons with disabilities, Pouliot	Changed to a resolve - became law without Governor's signature - Resolve chapter 57
1530	An act to exempt Appendix C PNMI's from the service provider tax	Died on Appropriations table - DEAD
1572	An act to ensure nondiscrimination against gun owners in public housing, Cushing	Signed by Governor -PL477
1584	An act to continue group exempt park passes to individuals with disabilities, Tuell	DEAD
1606	An act to provide funding for the budget stabilization fund	Emergency - PL481
1620	Resolve to create a stakeholder group to study ways to protect elders and individuals with disabilities from financial exploitation, Malaby	UONTP - DEAD
1638	Funding for increase in Service Provider Tax, Malaby	Signed by Governor -PL477
1644	Resolve, establishing a commission to study ways to support and strengthen the direct care workforce across the long term care continuum, Eves	Died on the study table DEAD
1682	An act to make rules for Section 21, Chapter 2 major substantive, Gattine	Vetoed by the Governor; House failed to override - DEAD
1696	Resolve, to establish a moratorium on rate changes related to rule Chapter 101, MaineCare Benefits Manual Sections 13, 17,28, and 65	Veto overridden
1698	Resolve, related to Legislative review of a change related to MaineCare Benefits Manual, Section 17	Emergency, became law without the Governor's signature, Resolve chapter 82