

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

FIRST REGULAR SESSION
December 6, 2006 to June 21, 2007

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 20, 2007

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Penmor Lithographers
Lewiston, Maine
2007

OTHER SPECIAL	\$154,126	\$207,819
REVENUE FUNDS TOTAL		

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective May 22, 2007.

CHAPTER 36

H.P. 544 - L.D. 723

Resolve, To Promote Chronic Disease Prevention and Care

Sec. 1. Care model of chronic disease prevention and care. Resolved: That the Department of Health and Human Services and the Advisory Council on Health Systems Development shall report to the Joint Standing Committee on Health and Human Services by January 31, 2008 on the issues detailed in this resolve. To the extent possible, the report must identify public and private resources currently devoted to the promotion of effective prevention and care for chronic diseases, any resource needs to further promote effective prevention and care and strategies to promote the coordination of public and private resources. The report may also include any recommendations for legislation to further promote effective prevention and care for chronic diseases. The issues to be addressed in the report must include the following:

1. The identification and a description of chronic diseases, including, but not limited to, diabetes, cancer, heart and lung disease and depression;
2. Whether prevention is an effective means to reduce the impact of chronic diseases;
3. A description of the care model of chronic disease prevention and care, which includes regular interactions among patients, their families and their formal caregivers, with a focus on maintaining the health of the individual patient with a chronic disease;
4. A description of a pilot program for effective management of care of high-cost MaineCare members and the integration into that pilot program of chronic disease prevention and care; and
5. The use of the State Health Plan, which is released every 2 years by the Governor's office, with guidance from the Advisory Council on Health Systems Development, as a primary approach to making Maine the healthiest state in the nation.

See title page for effective date.

CHAPTER 37

H.P. 920 - L.D. 1302

Resolve, To Preserve Maine's Electric Energy Infrastructure

Sec. 1. Report. Resolved: That, no later than January 31, 2008, the Department of Environmental Protection shall report to the Joint Standing Committee on Utilities and Energy concerning the detailed quantitative criteria that the department uses to fulfill the standards of the Maine Waterway Development and Conservation Act with respect to assessing the value of hydropower generation. The report must include the methods used to determine the current and future value of renewable energy considering the cost of electricity to Maine consumers, indigenous production, greenhouse gas emissions and fossil fuel independence. The joint standing committee may submit legislation to the 123rd Legislature to ensure that the detailed quantitative criteria used by the department provide the department with sufficient direction to fully assess the public benefit with respect to hydropower.

See title page for effective date.

CHAPTER 38

H.P. 505 - L.D. 656

Resolve, To Focus State Agency Efforts in Economic Development on Entrepreneurial Sustainability and Growth

Sec. 1. Department of Economic and Community Development directed to convene working groups to develop plan for economic growth in rural counties. Resolved: That the Department of Economic and Community Development shall direct staff to convene working groups in 3 rural counties in the State to develop a plan for economic development and growth that addresses the specific economic environment of each county. The working groups must consist of regional and local economic development leaders, members representing the local chambers of commerce, members from the Maine Jobs Council's workforce investment boards, county government leaders and members of the educational institutions in those counties. The working groups must convene at least 4 meetings to review the economic development needs of these counties and provide benchmarks for their strengths and weaknesses. The department shall assist and guide the working groups with their economic development initiatives; and be it further

Sec. 2. Reporting date established. Resolved: That the Department of Economic and Community Development shall report on the progress of each working group established under section 1 to the Joint Standing Committee on Business, Research and Economic Development by February 1, 2008.

See title page for effective date.

CHAPTER 39

H.P. 620 - L.D. 823

Resolve, To Create an Effective Deer Habitat Enhancement and Coyote Control Program

Sec. 1. Deer habitat enhancement and coyote control program. Resolved: That the Commissioner of Inland Fisheries and Wildlife shall establish a working group to review existing programs and efforts related to creating, enhancing and maintaining critical deer habitat in the State and reducing predation of deer by coyotes. In reviewing the programs and efforts, the working group shall look for ways to improve and increase wintering habitat for deer and for ways to increase the survivorship of deer on a year-round basis. The working group shall also establish methods of controlling coyote populations and set goals to manage the coyote populations; and be it further

Sec. 2. Report. Resolved: That the Commissioner of Inland Fisheries and Wildlife shall report the working group's findings, recommendations and draft legislation under section 1 to the Joint Standing Committee on Inland Fisheries and Wildlife by December 30, 2007. The Joint Standing Committee on Inland Fisheries and Wildlife may submit legislation related to the report to the Second Regular Session of the 123rd Legislature.

See title page for effective date.

CHAPTER 40

H.P. 895 - L.D. 1267

Resolve, To Estimate the Annual Value of Uncollected Bottle Deposits, Fraud and Total Costs under Maine's Bottle Bill

Sec. 1. Unclaimed deposits. Resolved: That the Department of Agriculture, Food and Rural Resources shall, in conjunction with other state agencies and 3rd-party administrators of beverage container commingling agreements that have knowledge of unclaimed beverage container deposits, estimate the

unclaimed beverage container deposits that revert each year to the State and to beverage distributors; and be it further

Sec. 2. Redemption fraud. Resolved: That the Department of Agriculture, Food and Rural Resources shall estimate the total number of beverage containers that are illegally redeemed in the State each year; and be it further

Sec. 3. Total costs. Resolved: That the Department of Agriculture, Food and Rural Resources shall estimate the total annual costs to Maine's beverage distributors to fulfill their obligations under Maine's beverage container deposit law; and be it further

Sec. 4. Reporting date established. Resolved: That the Department of Agriculture, Food and Rural Resources shall report its findings and any recommendations based on the estimates developed pursuant to this resolve to the Joint Standing Committee on Business, Research and Economic Development no later than January 15, 2008. The Joint Standing Committee on Business, Research and Economic Development is authorized to submit legislation concerning this report to the Second Regular Session of the 123rd Legislature.

See title page for effective date.

CHAPTER 41

H.P. 961 - L.D. 1369

Resolve, To Promote High-quality Before-school and After-school Programs

Sec. 1. Convene working group. Resolved: That the Department of Health and Human Services shall convene a working group to review and make recommendations for administrative or legislative action, or both, concerning ways to provide high-quality before-school and after-school programs through child care licensing and quality ratings. The department shall invite the participation of the Maine After School Network, the Maine School Age Care Alliance, recreation organizations, the Maine Mentoring Partnership, the United States Department of Education's 21st Century Community Learning Centers program and other interested parties. The department shall appoint the representative of the Maine After School Network as the chair of the working group, and the department's Office of Child Care and Head Start and Division of Licensing, Child Care Licensing Unit shall participate in the working group; and be it further

Sec. 2. Charge of working group. Resolved: That the working group shall review the rules, standards and policies for the range of before-