

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

Committee on Business, Research and Economic Development by February 15, 2008 with the results of the implementation plan. The Joint Standing Committee on Business, Research and Economic Development is authorized to submit legislation relating to the report to the Second Regular Session of the 123rd Legislature.

See title page for effective date.

CHAPTER 47

H.P. 268 - L.D. 334

Resolve, Regarding Legislative Review of Portions of Chapter 182: Formula for Distribution of Funds to Child Development Services Regional Sites

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 182: Formula for Distribution of Funds to Child Development Services Regional Sites, a provisionally adopted major substantive rule of the Department of Education that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective June 4, 2007.

CHAPTER 48

H.P. 823 - L.D. 1130

Resolve, To Increase Fairness in Medical Payments

Sec. 1. Reimbursements based on DRG method. Resolved: That the Department of Health and Human Services shall, with the Edmund S. Muskie School of Public Service, proceed with its review of the possibility of basing hospital reimbursement under the MaineCare program on a methodology derived from the diagnosis-related group, or DRG, method that is used in the federal Medicare program. By January 15, 2008, the department shall report to the Joint Standing Committee on Health and Human Services with the results of the review and any recommendations for legislation. The committee is authorized to submit legislation to the Second Regular Session of the 123rd Legislature regarding MaineCare reimbursement to hospitals.

See title page for effective date.

CHAPTER 49

H.P. 915 - L.D. 1297

Resolve, Regarding Measures To Ensure the Continued Health and Commercial Viability of Maine's Seacoast by Establishing Nutrient Criteria for Coastal Waters

Preamble. Whereas, nutrient pollution is a source of marine pollution, contributing to nuisance algal growth, harmful red tide, habitat impacts and oxygen depletion in Maine's coastal waters; and

Whereas, nutrient pollution is attributable to several forms of nitrogen entering Maine's coastal waters from diverse sources, including industrial, municipal, residential, atmospheric and nonpoint sources, as well as offshore inputs from natural phenomena; and

Whereas, bays and estuaries in states south of Maine already suffer significant water quality degradation from nutrient pollution; and

Whereas, as an example of known nutrient conditions in Maine, of 655 water samples collected over 6 years at a site in Casco Bay, 12% collected during the critical summer months exceeded the threshold for medium risk for impairment due to nutrients, as defined in national coastal assessments; and

Whereas, in 2001, the United States Environmental Protection Agency requested the State to establish nutrient criteria for state waters; and