

# MAINE STATE LEGISLATURE

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LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
One Hundred and Sixth Legislature  
1ST SPECIAL SESSION  
JANUARY 2, 1974 TO MARCH 29, 1974  
AND BY THE  
One Hundred and Seventh Legislature  
REGULAR SESSION  
JANUARY 1, 1975 TO JULY 2, 1975

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN  
ACCORDANCE WITH THE REVISED STATUTES OF 1964, TITLE 3,  
SECTION 164, SUBSECTION 6.

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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1975

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PUBLIC LAWS  
OF THE  
STATE OF MAINE

AS PASSED BY THE  
One Hundred and Seventh Legislature

1975

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adoption. In case of subsidies that continue for more than one year, there shall be an annual redetermination of the need for subsidy. If the adopting family moves from the original jurisdiction to another state, such family, if otherwise eligible, shall continue to receive the subsidy.

§ 544. Promulgation of rules and regulations

The Department of Health and Welfare shall establish rules and regulations for the subsidized adoption program consistent with this chapter and shall promulgate such rules and regulations within 90 days of its enactment.

Effective October 1, 1975

## CHAPTER 264

### AN ACT to Revise Certain Provisions of the Maine Health Facilities Authority Act.

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

Whereas, it is essential that hospitals within the State be provided with appropriate additional means to expand, enlarge and establish hospitals and other health care facilities; and

Whereas, certain actions of the Federal Government through legislation have modified the laws relating to health planning in the State of Maine; and

Whereas, these modifications in federal law have rendered inapplicable certain provisions of the Maine Health Facilities Authority Act; and

Whereas, financial assistance to hospitals by the authority will not be possible after July 1, 1975 unless certain modifications are made in the enabling legislation of the authority; 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 enacted by the People of the State of Maine, as follows:*

22 MRSA § 2061, as last amended by PL 1973, c. 713, § 7, is repealed and the following enacted in place thereof:

§ 2061. Procedure before issuance of bonds

Notwithstanding any other provisions of this chapter, the authority is not empowered to undertake any project authorized by this chapter unless, prior to the issuance of any bonds or notes hereunder, the authority has determined that:

1. Assistance. Such project will enable or assist a hospital or nursing home to fulfill its obligation to provide health care or nursing care facilities;
2. Review. Such project has been reviewed and approved by the appropriate regional and state health planning agencies as organized under section 253, or by the agency of the State which serves as the Designated Planning Agency of the State for purposes of section 1122 of the Federal Social Security Act, as amended;
3. Lease. Such project will be leased to, or owned by, a hospital or nursing home within the State; and
4. Payment. Adequate provision has been or will be made for the payment of such project and that under no circumstances will the State be obligated for the payment of such project, or for the payment of the principal of, or interest on, any obligations issued to finance such project.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective May 13, 1975

## CHAPTER 265

### AN ACT Relating to State Subsidy for Units with Federally Impacted Students.

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

Whereas, federal statute reimburses school units for students residing on federal reservations; and

Whereas, a new federal statute enacted in August of 1974 permits a different method of computing state subsidy; and

Whereas, some municipalities face hardships under the existing law; and

Whereas, School Administrative District 77 decided not to educate students residing on federal reservations because of the inequity created by legislative document 1994 and the State Board of Education sued School Administrative District 77 seeking to compel School Administrative District 77 to educate said pupils, which suit is pending in the Washington County Superior Court by agreement of the parties awaiting the decision of the 107th Legislature in regard to this legislation; and

Whereas, it is essential that educational services be provided to all pupils, including students residing on federal reservations; 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,