

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED AT THE
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ONE HUNDRED AND NINTH LEGISLATURE
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CHAPTER 216

H. P. 1142 — L. D. 1395

AN ACT to Conform the Health Maintenance Organization Act of 1975 to the Maine Certificate of Need Act of 1978.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 24-A MRSA § 4203, sub-§ 1, first sentence, as enacted by PL 1975, c. 503, is amended to read:

~~Notwithstanding any law of this State to the contrary~~ **Subject to the Maine Certificate of Need Act of 1978**, any person may apply to the superintendent for and obtain a certificate of authority to establish and operate a health maintenance organization in compliance with this chapter.

Sec. 2. 24-A MRSA § 4204, sub-§ 1, as enacted by PL 1975, c. 503, and as amended, is repealed and the following enacted in its place:

1. Procedure upon receipt of an application for issuance of a certificate of authority.

A. Concurrently with filing an application for issuance of certificate of authority with the superintendent, the applicant shall also file an application for a certificate of need pursuant to Title 22, section 301 et seq.

B. The superintendent shall take no final action with regard to the application until he has been informed by the Department of Human Services whether or not the application for the certificate of need has been approved or denied. The Department of Human Services shall transmit to the superintendent a copy of its written decision on the application for a certificate of need.

Sec. 3. 24-A MRSA § 4204, sub-§ 2, first ¶, first sentence, as enacted by PL 1975, c. 503, and as amended, is further amended to read:

The superintendent shall issue or deny a certificate of authority to any person filing an application pursuant to section 4203 within 20 business days of receipt of the ~~certification from the Commissioner of Human Services~~ **notice from the Department of Human Services that the applicant has been granted a certificate of need.**

Sec. 4. 24-A MRSA § 4204, sub-§ 2, ¶ A, as enacted by PL 1975, c. 503, and as amended, is further amended to read:

A. The Commissioner of Human Services certifies that the health

~~maintenance organization's proposed plan of operation meets the requirements of this section organization has received a certificate of need;~~

Sec. 5. ~~24-A MRSA § 4204, sub-§ 2, ¶ F~~, as enacted by PL 1975, c. 503, and as amended, is repealed as follows:

~~F. Any deficiencies certified by the Commissioner of Human Services have been corrected~~

Effective September 14, 1979

CHAPTER 217

H. P. 1165 — L. D. 1430

AN ACT Relating to the Division of Probation and Parole.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. ~~34 MRSA § 1591, 2nd paragraph~~, as repealed and replaced by PL 1969, c. 319, § 3, is amended to read:

The Division of Probation and Parole shall be under the direction of the Director of Probation and Parole, in this chapter called the "director," who shall be appointed by the **commissioner upon the recommendation of the** Director of Corrections, subject to the Personnel Law.

Sec. 2. ~~34 MRSA § 1593~~, as enacted by PL 1969, c. 326, § 1, is repealed and the following enacted in its place:

§ 1593. Assistant director

1. Powers. The Assistant Director of the Division of Probation and Parole shall have the power in the absence of the director, to perform duties and be subject to all obligations and responsibilities of the director.

The Assistant Director shall have the power, upon designation by the director, to issue warrants for the arrest of parole violators.

2. Delegation of responsibilities. The Director of the Division of Probation and Parole shall have the authority with the approval of the Director of Corrections, in special instances and in the absence or illness of the Assistant Director of Probation and Parole, to delegate any and all responsibilities of the assistant director to a district supervisor. This appointment shall not exceed 20