

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

**FIRST REGULAR SESSION**

December 5, 1984 to June 20, 1985

Chapters 1-384

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

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1986

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

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1985

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Certificate of Need Development Account is credited with additional amounts. For the purposes of this subsection, a project may be held for a final decision beyond the time frames set forth in section 307, subsections 3 and 4.

Effective September 19, 1985.

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## CHAPTER 339

H.P. 577 - L.D. 848

### AN ACT Amending Certain Provisions of the Maine Health Care Finance Law.

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

Sec. 1. 22 MRSA §396-D, sub-§5, ¶A, as enacted by PL 1983, c. 579, §10, is amended to read:

A. ~~In~~ Except as provided in paragraph C, in determining payment year financial requirements, the commission shall include an adjustment to reflect any net increases or decreases in the hospital's costs resulting from projects approved in accordance with the Maine Certificate of Need Act and section 396-K. These adjustments may be made subsequent to the commencement of a fiscal year and shall take effect on the date that expenses associated with the project would be eligible for reimbursement under the Medicare program.

Sec. 2. 22 MRSA §396-D, sub-§5, ¶C is enacted to read:

C. In determining payment year financial requirements, if a project approved in accordance with the Maine Certificate of Need Act and section 396-K subsequent to October 1, 1985, involves an activity specified in subsection 8, the commission may elect to determine an adjustment to reflect any net decrease resulting from that project in a manner consistent with its determination of adjustments under subsection 8.

Sec. 3. 22 MRSA §396-E, sub-§1, ¶D, as enacted by PL 1983, c. 579, §10, is amended to read:

D. Donor restricted gifts, grants, devises or restricted income from investment thereof shall be considered available resources only to the extent these funds are applied to the use for which they were donated, except that the purchase of movable equipment with any such funds in years following the completion of a hospital's base year shall not operate to reduce the allowance for facilities and equipment otherwise determined under section 396-D, subsection 3.

Sec. 4. 22 MRSA §396-E, sub-§1, ¶E, as enacted by PL 1983, c. 579, §10, is repealed.

Effective September 19, 1985.

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## CHAPTER 340

H.P. 630 - L.D. 774

### AN ACT to Restrict certain Agencies with Respect to Purchases of Real Property.

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

5 MRSA §1742, sub-§19, as amended by PL 1967, c. 307, is further amended to read:

19. Facilities required by State. To lease or approve the leasing of grounds, buildings, facilities and office space, except as provided in this subsection, required by departments and agencies of the State Government. No lease shall may be for a period of more than 20 years. The Finance Authority of Maine and the Maine State Housing Authority may not purchase, lease or rent real property for their office space without the prior written approval of the Governor. The Maine State Retirement System may not purchase, lease or rent real property without the prior written approval of the Governor.

Effective September 19, 1985.

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