

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND SEVENTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 1994 to June 30, 1995

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 29, 1995

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

J.S. McCarthy Company
Augusta, Maine
1995

task force shall include, but is not limited to, the following issues:

1. The method of regulation, including practice license, title license, certification and registration;
2. The regulatory and oversight bodies;
3. The scope of practice, including, but not limited to, the following:
 - A. Natural childbirth;
 - B. Diagnostic procedures;
 - C. Prescription and administration of medicines and therapies, including natural antibiotics;
 - D. Surgical procedures; and
 - E. Acupuncture;
4. The authorized professional title, for example, "doctor" or "physician" and use of the term "medical";
5. Qualifications for licensure, certification or registration;
6. Grandfathering of current practitioners;
7. Practice by out-of-state licensees;
8. The grounds for refusing to license, certify or register;
9. Continuing education requirements and the means of ensuring continuing competence; and
10. Reciprocity with other states.

The task force shall provide specific answers to these issues. The task force may not leave any of these issues to the determination of the regulatory board. In arriving at its answers, the task force shall review the answers to the sunrise questions provided to the Joint Standing Committee on Business and Economic Development by the naturopathic practitioners who supported the licensure before that committee. The task force shall also prepare its own answers to the sunrise questions required by the Maine Revised Statutes, Title 5, section 12015, subsection 3, taking into consideration the answers submitted by the naturopathic practitioners.

In examining these issues, the task force may hold 5 meetings, including the initial organizational meeting. The task force shall hold its last meeting no later than November 15, 1995; and be it further

Sec. 6. Staffing. Resolved: That the Department of Professional and Financial Regulation shall provide staffing to the task force from existing departmental personnel; and be it further

Sec. 7. Compensation. Resolved: That members are not entitled to compensation; and be it further

Sec. 8. Report. Resolved: That no later than December 15, 1995, the task force shall submit a written report together with recommended legislation to the Joint Standing Committee on Business and Economic Development with a copy to the Executive Director of the Legislative Council and the Law and Legislative Reference Library. The task force shall make an oral report to the Joint Standing Committee on Business and Economic Development no later than January 30, 1996. The Joint Standing Committee on Business and Economic Development may submit legislation based on the recommendations of the task force.

The task force may take additional time to complete its study beyond the dates specified in this section if necessitated by a failure of the task force to hold its first meeting on the date specified in this resolve.

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

Effective July 3, 1995.

CHAPTER 50

H.P. 951 - L.D. 1340

Resolve, Authorizing the Maine Technical College System to Lease-purchase Facilities for York County Technical College

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

Whereas, pursuant to Public Law 1993, chapter 707, Part O, the 116th Legislature authorized the establishment of York County Technical College; and

Whereas, pursuant to Public Law 1993, chapter 707, Part O, the 116th Legislature appropriated funds to the Maine Technical College System to establish York County Technical College and recommended that funds be appropriated by future Legislatures to provide for York County Technical College; and

Whereas, the Maine Technical College System is authorized to rent facilities to allow the operation of York County Technical College beginning in the fall of 1995; and

Whereas, it is financially desirable and feasible within existing financial resources for the Maine Technical College System, through a lease-purchase, to acquire ownership of appropriate buildings and equipment to allow establishment of York County Technical College in permanent facilities beginning in fiscal year 1997; and

Whereas, construction needs to begin on such buildings during fiscal year 1996 in order to allow completion of such buildings during fiscal year 1997; 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. Authorization of lease-purchase of buildings and equipment for York County Technical College. Resolved: That, in compliance with the Maine Revised Statutes, the Maine Technical College System is authorized to enter into financing arrangements to lease-purchase buildings and equipment to establish York County Technical College. The principal amount of the financing may not exceed \$6,895,000. The rate of interest is estimated to be 5.746% over a 20-year period, resulting in a total interest cost of approximately \$3,648,211, if the lease-purchase is carried to its entire term. The Maine Technical College System is authorized to encumber, mortgage or otherwise give security for the buildings and equipment that are the subject of the lease-purchase in order to allow consummation of the lease-purchase, and is authorized to transfer interests in real estate in order to provide for permanent access roads, utility easements and other requirements for constructing the college on an adequate site. No state funds beyond those already anticipated to be authorized by the Legislature for the annual operation of York County Technical College are required for the lease-purchase and payments of principal of and interest on the lease-purchase must be derived in the first instance from nonstate funds such as tuition revenues. Any lease-purchase effected pursuant to this authorization must state that the Maine Technical College System may discontinue the lease-purchase in the event that annual appropriations of state funds become necessary to pay off the lease-purchase and are discontinued by the Legislature.

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

Effective July 3, 1995.

CHAPTER 51

H.P. 858 - L.D. 1189

Resolve, to Create a Task Force on Tax Increment Financing

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

Whereas, state and municipal tax increment financing districts can contribute to creation and retention of jobs; and

Whereas, such districts should be consistent with and complement the State's strategic long-term economic development plan; and

Whereas, current tax increment financing laws do not contain uniform policies or guidelines to guide municipal legislative bodies in designating tax increment financing development districts; and

Whereas, current tax increment financing laws do not encourage intermunicipal agreements to assist Maine businesses seeking to relocate or expand within the State; 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. Task Force; establishment. Resolved: That the Task Force on Tax Increment Financing, referred to in this resolve as the "task force," is established; and be it further

Sec. 2. Membership. Resolved: That the task force consists of 13 members as follows:

1. Two members of the Senate, not more than one from any one political party, one of whom serves on the Joint Standing Committee on Taxation and one of whom serves on the Joint Standing Committee on Business and Economic Development, appointed by the President of the Senate;

2. Four members of the House of Representatives, not more than 2 from any one political party, 2 of whom serve on the Joint Standing Committee on Taxation and 2 of whom serve on the Joint Standing Committee on Business and Economic Development, appointed by the Speaker of the House of Representatives;