

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**  
**ONE HUNDRED AND SEVENTEENTH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**November 28, 1995 to December 1, 1995**

**SECOND REGULAR SESSION**  
**January 3, 1996 to April 4, 1996**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 4, 1996**

**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 Company**  
**Augusta, Maine**  
**1995**

C. Identify and attempt to resolve suppliers' other energy issues as they affect dairy farms; and be it further

**Sec. 3. Value-added products. Resolved:**

That the commissioner shall coordinate with the Cooperative Extension Service, the Maine Agricultural Experiment Station, the Maine Science and Technology Foundation, the Commission on Biotechnology and Genetic Engineering and the Department of Economic and Community Development to learn the new dairy product interests of businesses in this State and to work cooperatively with other states, particularly Vermont, to develop products and that the commissioner keep dairy industry businesses aware of value-added research and development activities; and be it further

**Sec. 4. Promotion regulation. Resolved:**

That the commissioner shall work with the Maine Milk Commission to see that dairy promotions are rejected only when there has been an affirmative finding that the promotion is destructive of minimum milk prices; and be it further

**Sec. 5. Farm clearinghouse. Resolved:**

That the commissioner shall establish a clearinghouse at which persons interested in selling farms and persons interested in buying farms may register those interests; and be it further

**Sec. 6. Support groups. Resolved:**

That the commissioner shall work with the Department of Economic and Community Development and the Cooperative Extension Service to develop a plan to provide on-site farm management mentoring and support to dairy farms, possibly modeled after or utilizing the Service Corps of Retired Executives or the small business development centers and possibly utilizing the undistributed funds from the Maine Dairy Farm Stabilization Fund; and be it further

**Sec. 7. Environmental rules. Resolved:**

That the commissioner shall work with the Department of Conservation and the Department of Environmental Protection to ensure that proposed rules that affect agriculture be brought to the attention of the Department of Agriculture, Food and Rural Resources and the joint standing committee of the Legislature having jurisdiction over agricultural matters; and be it further

**Sec. 8. Trade with Canada. Resolved:**

That the commissioner shall work with the Maine Dairy Promotion Board to request that Maine's Congressional delegation attempt to ensure that dairy products are made part of the North American Free Trade Agreement with Canada; and be it further

**Sec. 9. Feeding. Resolved:** That the commissioner shall request the Maine Agricultural

Experiment Station and the Cooperative Extension Service to assist farmers in developing less costly feeding programs with particular emphasis on better quality forage and the use of intensive grazing; and be it further

**Sec. 10. Status reports. Resolved:** That the commissioner shall provide the joint standing committee of the Legislature having jurisdiction over agricultural matters with a written status report concerning the assignments made in this resolve by January 1st of each year. Copies must be sent to the Executive Director of the Legislative Council and the State Law Library. Each report must contain an estimate of when each item will be accomplished and set a program and goals for the following year. Reports after the first report must additionally report on activities of the past year and progress in meeting goals set in the previous report. At the request of the receiving committee, the commissioner shall present an oral report of this information.

In addition to the state report requirements of this section, the following activities have specific deadlines as indicated:

A. The commissioner shall submit a complete plan, including funding recommendations, for on-site farm support groups, as required in section 6, to the joint standing committee of the Legislature having jurisdiction over agricultural matters by January 1, 1997; and

B. In accordance with section 8, within 30 days of the effective date of this resolve, the commissioner shall communicate with the congressional delegation concerning placing dairy products in the North American Free Trade Agreement with Canada.

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

Effective April 2, 1996.

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**CHAPTER 70**

**S.P. 752 - L.D. 1865**

**Resolve, to Extend the Reporting  
Deadline of the Export Financing  
Services Study Group**

**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 group studying export financing services in the State was unable to complete its report within the time contemplated by Resolve 1995, chapter 17; and

**Whereas**, this legislation is necessary as an emergency measure to afford adequate time for the issues to be appropriately addressed by the study group; 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. Resolve 1995, c. 17, §5, first ¶, amended. Resolved:** That Resolve 1995, c. 17, §5, first paragraph is amended to read:

**Sec. 5. Reporting date. Resolved:** That the study group shall submit a written report of its findings and recommendations, together with any implementing legislation on how to improve the availability of, and access to, export finance programs in Maine, to the joint standing committee of the Legislature having jurisdiction over business and economic development matters by ~~January~~ November 1, 1996 ~~and shall make an oral report to that committee by February 1, 1996.~~

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

Effective April 2, 1996.

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**CHAPTER 71**

**S.P. 647 - L.D. 1689**

**Resolve, That the Department of Human Services Convene a Task Force on Paperwork Reduction in Nursing Facilities**

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

**Whereas**, nursing facility staff believe that the amount of paperwork and forms required for patient assessment and care in nursing facilities in this State detracts from the capacity of nurses to care for residents; and

**Whereas**, the time available for direct patient care in nursing facilities may be increased by coordi-

nating and decreasing the amount of paperwork required of nurses on the Minimum Data Set Plus case mix form, the Medical Eligibility Determination '94 form and any other forms required by state and federal agencies and insurance carriers for patient assessment, care and reimbursement; and

**Whereas**, coordination of these forms and paperwork is desirable for the benefit of residents of the nursing facilities of this 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. Resolved:** That the Department of Human Services, referred to in this resolve as the "department," shall convene a task force on paperwork reduction in nursing facilities for the purpose of studying the problem of paperwork required for patient assessment, care and reimbursement and the survey process, referred to in this resolve as the "task force." The task force shall study the needs of the patient and family, the nursing and professional staff of the nursing facility, the department and any other interested parties and shall search for methods of meeting the legitimate needs of all parties in the most efficient, efficacious and collaborative manner possible; and be it further

**Sec. 2. Membership. Resolved:** That, by April 1, 1996, the Commissioner of Human Services shall name to the task force a representative of the long-term care ombudsman program and 5 representatives of the department, representing the Bureau of Elder and Adult Services, the Division of Benefits Management, the Division of Licensure and Certification, the Division of Financial Services and the Muskie Institute Center for Health Policy.

By April 1, 1996, the President of the Senate and the Speaker of the House shall each appoint 3 members of the task force from nominations submitted to them by individuals, associations and nursing facilities. The 3 members must be nurses employed and providing care in long-term care nursing facilities or nurses who represent those nurses. A member who is appointed by the President of the Senate or the Speaker of the House who qualifies at the time of appointment is not disqualified if during the time of service on the task force the member changes employment or status and that member may continue to serve for the duration of the task force. These appointed nurses shall name another nurse, similarly qualified, to serve as a full member of the task force and as chair.