

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

SECOND SPECIAL SESSION
September 5, 1996 to September 7, 1996

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 4, 1996 to March 27, 1997

FIRST SPECIAL SESSION
March 27, 1997 to June 20, 1997

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 26, 1997

FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 1997

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
1997

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

Sec. 1. 22 MRSA §1813, as repealed and replaced by PL 1991, c. 104, is amended by adding a new 3rd paragraph to read:

For nursing facilities providing both nursing home and assisted living services, the department shall issue one license reflecting both levels of care. The commissioner shall adopt rules to implement this paragraph. Rules adopted pursuant to this paragraph are routine technical rules as defined by Title 5, chapter 375, subchapter II-A.

Sec. 2. 22 MRSA §1816, as amended by PL 1981, c. 470, Pt. A, §71, is further amended by adding a new 2nd paragraph to read:

For nursing facilities providing both nursing home and assisted living services, the department shall ensure that a single coordinated licensing and life safety code inspection is performed. The commissioner shall adopt rules to implement this paragraph. Rules adopted pursuant to this paragraph are routine technical rules as defined by Title 5, chapter 375, subchapter II-A.

See title page for effective date.

CHAPTER 489

S.P. 602 - L.D. 1780

An Act to Amend the Finance Authority of Maine Act and the Adaptive Equipment Loan Program

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

Sec. 1. 10 MRSA §373, sub-§1, as amended by PL 1995, c. 519, §3, is further amended to read:

1. Establishment; membership. There is established the Adaptive Equipment Loan Program Fund Board that consists of 9 members as follows: ~~The Commissioner of Education or the commissioner's Director of the Bureau of Rehabilitation Services or the director's designee; the Treasurer of State or the Treasurer of State's designee; an experienced consumer lender; a certified public accountant; and 5 persons with a range of disabilities, all nondesignated members~~ to be appointed by the Governor. The board shall annually elect a chair from among its members.

Sec. 2. 10 MRSA §374, sub-§4, as enacted by PL 1987, c. 817, §2, is repealed and the following enacted in its place:

4. Rules. The board may adopt rules to carry out the purposes of this chapter. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter II-A. The rules must ensure that:

A. Individuals and business entities are eligible for loans;

B. A preference is given for loans to qualifying individual borrowers seeking loans to acquire adaptive equipment for personal, family or household purposes; and

C. Loan applications may only be approved or denied by the board at a regular or special meeting except as follows:

(1) Approval of applications for loans under \$2,500 may be delegated by the board to a subcommittee of the board or outside contractors under the supervision and control of the board; and

(2) In the discretion of the chair of the board, if an applicant would suffer undue hardship by waiting for the next regular meeting the application may be approved by a subcommittee of the board containing at least 5 members of the board when a majority of the members of such subcommittee vote for approval.

In all other cases, including any denial of an application, the application must be acted upon by the board at a regular or special meeting.

Sec. 3. 10 MRSA §375, sub-§4, as enacted by PL 1989, c. 191, §2, is repealed.

Sec. 4. 10 MRSA §963-A, sub-§51, as amended by PL 1993, c. 427, §3, is further amended to read:

51. Veteran. "Veteran" means any person who served in the United States Armed Forces ~~during any federally recognized period of conflict as defined in Title 37 B, section 504, subsection 4, paragraph A 1, subparagraph (3), or was eligible for an Armed Forces Expeditionary Medal or campaign medal, and was not dishonorably discharged. A veteran of the Vietnam War must have served on active duty for a period of more than 90 days, unless that veteran was discharged for a service connected disability, and any part of that active duty service occurred after December 22, 1961 and before May 7, 1975.~~

Sec. 5. 10 MRSA §963-A, sub-§51-A is enacted to read:

51-A. Wartime veteran. "Wartime veteran" means any person who served in the United States

Armed Forces during any federally recognized period of conflict as defined in Title 37-B, section 504, subsection 4, paragraph A-1, subparagraph (3) or was eligible for an Armed Forces Expeditionary Medal or campaign medal, and was not dishonorably discharged. A veteran of the Vietnam War must have served on active duty for a period of more than 90 days unless that veteran was discharged for a service-connected disability, and any part of that active duty service occurred after December 22, 1961 and before May 7, 1975.

Sec. 6. 10 MRSA §1026-C, sub-§2, as amended by PL 1991, c. 854, Pt. A, §6, is further amended to read:

2. Insurance. The authority may provide mortgage insurance benefiting a veteran in an original principal amount of \$250,000 or less in addition or as an alternative to any amount of mortgage insurance provided pursuant to section 1026-B. The authority may insure 100% of mortgage payments under this section for a loan of up to \$75,000 to a veteran. The authority may insure 100% of mortgage payments under this section for a loan up to \$125,000 for a wartime veteran.

Sec. 7. 10 MRSA §1053, sub-§6, as repealed and replaced by PL 1995, c. 289, §6, is repealed and the following enacted in its place:

6. Securities outstanding. The principal amount of revenue obligation securities the authority may have outstanding at any one time to which subsection 5 is stated in the trust agreement or other document to apply may not exceed an aggregate principal amount equal to \$591,000,000 as follows:

A. The sum of \$264,000,000, consisting of not more than \$220,000,000 for loans and up to \$44,000,000 for use of bond proceeds to fund capital reserve funds for revenue obligation securities issued pursuant to this subchapter relating to loans for electric rate stabilization projects;

B. The sum of \$120,000,000, consisting of not more than \$100,000,000 for loans and up to \$20,000,000 for use of bond proceeds to fund capital reserve funds for revenue obligation securities issued pursuant to this subchapter relating to loans for major business expansion projects;

C. The sum of \$57,000,000, consisting of not more than \$45,000,000 for loans and up to \$12,000,000 for use of bond proceeds to fund capital reserve funds for revenue obligation securities issued pursuant to this subchapter relating to workers' compensation residual market mechanism projects; and

D. The sum of \$150,000,000, less the aggregate outstanding balance of mortgage loans secured by capital reserve funds pursuant to section 1032 for all other revenue obligation securities issued pursuant to this subchapter.

The amount of revenue obligation securities issued to refund securities previously issued may not be taken into account in determining the principal amount of securities outstanding provided that proceeds of the refunding securities are applied as promptly as possible to the refunding of the previously issued securities. In computing the total amount of revenue obligation securities of the authority that may at any time be outstanding for any purpose, the amounts of the outstanding revenue obligation securities that have been issued as capital appreciation bonds or as similar instruments are valued as of any date of calculation at their then current accreted value rather than their face value.

Sec. 8. 20-A MRSA §12507, sub-§1, as amended by PL 1995, c. 117, Pt. E, §9 and affected by §13, is further amended to read:

1. Debt calculation. The debt must include the total amount of the loan and interest at the rate established by rule of the authority, less the amount, if any, that has been cancelled by return service.

See title page for effective date.

CHAPTER 490

H.P. 774 - L.D. 1051

An Act to Enhance the State's Moose Hunt

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

Sec. 1. 12 MRSA §7463-A, sub-§2-A, ¶C, as enacted by PL 1993, c. 206, §4 and affected by §7, is amended to read:

C. In 1996 and ~~in each year thereafter~~ 1997, no more than 1,500 permits; and

Sec. 2. 12 MRSA §7463-A, sub-§2-A, ¶D is enacted to read:

D. In 1998 and in each year thereafter, no more than 2,000 permits.

Sec. 3. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1997-98 1998-99