

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND NINETEENTH LEGISLATURE**

**SECOND REGULAR SESSION**  
**January 5, 2000 to May 12, 2000**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**AUGUST 11, 2000**

**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**  
**2000**

**CHAPTER 553****H.P. 1578 - L.D. 2225****An Act to Permit Certain Referrals  
by Health Care Practitioners**

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

**Whereas,** access to health care is a high priority for citizens of Maine; and

**Whereas,** there are currently pending agreements between health care practitioners that, as affected by this legislation, would ease access to health care; 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 enacted by the People of the State of  
Maine as follows:**

**Sec. 1. 22 MRSA §2085, sub-§2,** as enacted by PL 1993, c. 308, §1, is amended by amending the first paragraph to read:

**2. Exemption.** Referrals by a health care practitioner are exempt from this chapter if the bureau determines that there is demonstrated need in the community for the facility and alternative financing is not available. A health care practitioner does not have to demonstrate a need for alternative financing if the practitioner has sufficient financial resources in the provider's practice without seeking financing from outside sources other than conventional bank loans. Demonstrated need in the community for the facility exists when:

**Sec. 2. 22 MRSA §2085, sub-§2, ¶A,** as enacted by PL 1993, c. 308, §1, is amended to read:

A. There is no facility of reasonable quality that provides an appropriate service, or the bureau determines that the quality of health care services would be improved in the community, such as by providing new specialty or subspecialty services without increasing overall health care costs and utilization above levels likely to occur if such an exemption were not granted;

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

Effective March 15, 2000.

**CHAPTER 554****S.P. 932 - L.D. 2382****An Act to Require Expenditure of  
Designated Funds for the Purpose for  
which the Legislature Designated the  
Funds****Be it enacted by the People of the State of  
Maine as follows:**

**Sec. 1. 36 MRSA §1603, sub-§1, ¶C,** as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

C. The cost of reimbursement by the State for services a county provides to the unorganized territory in accordance with Title 30-A, chapter 305. ~~Not~~ A county may not be reimbursed for services provided on or after January 1, 1979, unless a legislative allocation is obtained pursuant to this chapter. If a county receives, in addition to its budget, funds that are designated by the Legislature for a specific purpose and the county does not spend those funds for that specific purpose in that fiscal year, then the reimbursement under this chapter to that county for the next fiscal year must be reduced by an amount equal to the amount of funds so designated that were not expended for that specific purpose.

See title page for effective date.

**CHAPTER 555****H.P. 1713 - L.D. 2419****An Act to Correct Inconsistencies of  
the Taxable Wage Amount in the  
Unemployment Compensation Law****Be it enacted by the People of the State of  
Maine as follows:**

**Sec. 1. 26 MRSA §1043, sub-§2,** as amended by PL 1983, c. 13, §1, is further amended to read:

**2. Annual payroll.** "Annual payroll" means the total amount of wages paid by an employer during a calendar year, not meaning, however, to include that