

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.

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

part of individual wages or salaries in excess of \$3,000 in any calendar year through 1971, \$4,200 in any calendar year through 1977, \$6,000 in any calendar year through 1982, \$7,000 in any calendar year through 1999 and ~~\$7,000~~ \$12,000 in any subsequent calendar year.

See title page for effective date.

CHAPTER 556

S.P. 925 - L.D. 2376

An Act to Change the Name of the Natural Resources Information and Mapping Center to More Accurately Reflect its Roles and Duties and to Correct Inconsistent Statutes

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

Sec. 1. 1 MRSA §25, as amended by PL 1985, c. 481, Pt. A, §1 and PL 1995, c. 502, Pt. E, §32, is further amended to read:

§25. The Bureau of Geology and Natural Areas to have charge of topographic mapping

~~The Natural Resources Information and Mapping Center shall have~~ Bureau of Geology and Natural Areas has charge of topographic mapping on behalf of the State. ~~The Natural Resources Information and Mapping Center~~ Bureau of Geology and Natural Areas is authorized and directed to enter into such agreements with the Director of the United States Geological Survey as will assure the progress of the work in an efficient and economical manner.

Sec. 2. 2 MRSA §6, sub-§5, as amended by PL 1995, c. 462, Pt. A, §1 and c. 502, Pt. E, §32, is further amended to read:

5. Range 86. The salaries of the following state officials and employees are within salary range 86:

- Director of Labor Standards;
- Deputy Chief of the State Police;
- State Archivist;
- ~~Director of Natural Resources Information and Mapping Center,~~ Bureau of Geology and Natural Areas;
- Executive Director, Maine Land Use Regulation Commission;
- Chair, Maine Unemployment Insurance Commission;

Child Welfare Services Ombudsman; and

Director of the Maine Drug Enforcement Agency.

Sec. 3. 5 MRSA §935, sub-§1, ¶D, as enacted by PL 1983, c. 729, §4 and amended by PL 1995, c. 502, Pt. E, §32, is further amended to read:

~~D. Director, Natural Resources Information and Mapping Center~~ Bureau of Geology and Natural Areas;

Sec. 4. 5 MRSA §12004-I, sub-§3-A is enacted to read:

<u>3-A.</u>	<u>Natural</u>	<u>Not</u>	<u>12 MRSA</u>
<u>Conservation</u>	<u>Areas</u>	<u>Authorized</u>	<u>§544-A</u>
	<u>Advisory</u>		
	<u>Board</u>		

Sec. 5. 5 MRSA §12004-I, sub-§6-C, as enacted by PL 1993, c. 92, §10, is repealed.

Sec. 6. 5 MRSA c. 383, sub-c. III, art. 1-A, as amended, is repealed.

Sec. 7. 5 MRSA §13127, sub-§2, as amended by PL 1989, c. 903, §2 and PL 1995, c. 502, Pt. E, §32, is further amended to read:

2. Composition. The board is composed of 15 members. The membership includes one representative of the University of Maine System, one representative of the Association for Research in the Gulf of Maine, 2 representatives of nonprofit environmental organizations, one representative of independent higher education institutions, 2 representatives of the scientific community, 2 representatives of marine resource industries and one public member. The Commissioner of Environmental Protection, the Director of the ~~Natural Resources Information and Mapping Center~~ Bureau of Geology and Natural Areas, the Commissioner of Marine Resources, the Director of the State Planning Office and the director of the sea grant college program serve as ex officio members. The ex officio members may appoint designees to fulfill their duties under this chapter.

Sec. 8. 7 MRSA §332, sub-§1, as amended by PL 1989, c. 503, Pt. B, §39 and PL 1995, c. 502, Pt. E, §32, is further amended to read:

1. Membership. The Aroostook Water and Soil Management Board, as established by Title 5, section 12004-G, subsection 4, ~~shall consist~~ consists of the following: The Chair of the Maine Potato Board; one person designated by the Maine Potato Board who ~~shall~~ must be a farmer with irrigation experience; a representative of each of the 3 Aroostook County Soil and Water Conservation Districts chosen by the boards