

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND NINETEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 2, 1998 to June 19, 1999**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 18, 1999**

**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**  
**1999**

**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. Adoption. Resolved:** That final adoption of Chapter 231: Rules Relating to Drinking Water, a provisionally adopted major substantive rule of the Department of Human Services, and submitted to the Legislature for review pursuant to the Maine Administrative Procedure Act, is authorized.

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

Effective May 20, 1999.

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**CHAPTER 44**

**H.P. 1535 - L.D. 2188**

**Resolve, Regarding Legislative Review of Certain Sections of Chapter II, Section 67, Nursing Facility Services, of Chapter 101: Maine Medical Assistance Manual, a Major Substantive Rule of the Department of Human Services**

**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 Maine Administrative Procedure Act, Title 5, chapter 375, subchapter II-A, requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas**, the above named major substantive rule has been submitted to the Legislature for review; and

**Whereas**, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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. Adoption. Resolved:** That final adoption of certain sections of Chapter II, Section 67,

Nursing Facility Services, of Chapter 101: Maine Medical Assistance Manual, a provisionally adopted major substantive rule of the Department of Human Services, and submitted to the Legislature for review pursuant to the Maine Administrative Procedure Act, is authorized.

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

Effective May 20, 1999.

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**CHAPTER 45**

**H.P. 1184 - L.D. 1694**

**Resolve, to Direct the Maine State Museum and the Maine Historic Preservation Commission to Include, Consult and Involve Local Historical Societies and Affected Municipalities in the Recovery and Local Display of Certain Revolutionary War Artifacts**

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

**Whereas**, Revolutionary War vessels of potential historical significance are submerged in the Penobscot River near the cities of Brewer and Bangor and other municipalities located along the shores of the Penobscot River; and

**Whereas**, salvage of those vessels will contribute to the historical record of the State and an understanding of important events in the formation of our nation; and

**Whereas**, the possibility exists that private or public dredging of the Penobscot River in the area where the vessels are submerged may occur in the future in order to ensure unimpeded passage of vessels on the river; and

**Whereas**, the Maine State Museum and the Maine Historic Preservation Commission are charged with ensuring the proper recovery, restoration and preservation of archaeological artifacts under the Maine Revised Statutes, Title 27, chapter 2; 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