

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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.

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. Study. Resolved: That the Commissioner of Marine Resources solicit, through the Fish Health Advisory Group or its designee, a request for proposal to study the increase in lobster morbidity and mortality, and that funding in the amount of \$70,000 be provided to an investigator or investigators based on scientific peer review of the responses to the RFP, and that additional funding sources may be sought to supplement the appropriation; and be it further

Sec. 2. Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

1999-00

**MARINE RESOURCES,
DEPARTMENT OF**

Study Commission - Funding

All Other	\$70,000
-----------	----------

Provides funds for an investigator or investigators to study the changes in lobster morbidity and mortality.

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

Effective June 11, 1999.

CHAPTER 71

S.P. 789 - L.D. 2201

**Resolve, to Establish the John H.
Reed-Kenneth M. Curtis Peace
Fellowship**

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 Seeds of Peace International Camp, located in Otisfield, Maine, helps to secure peace in the Middle East by bringing together Arab and Israeli youth in a neutral, supportive learning environment where they can learn to understand and

respect each other's differences and find common ground for reconciliation; and

Whereas, the Seeds of Peace International Camp has graduated more than 1,000 Israeli, Palestinian, Egyptian, Jordanian, Moroccan, Tunisian and Qatari teenagers since its founding in 1993; and

Whereas, Maine youth have been an essential ingredient to the success of the Seeds of Peace International Camp by serving as hosts for their Middle Eastern peers, by facilitating the building of friendships between Arab and Israeli campers and by serving as ambassadors of Maine to these visitors to our State; and

Whereas, financial support is necessary to permit the continued involvement of Maine youth to serve as hosts for the expanding numbers of Middle Eastern campers who will participate in the Seeds of Peace International Camp during the summer of 1999 and the coming years; 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. John H. Reed-Kenneth M. Curtis Peace Fellowship established. Resolved: That the John H. Reed-Kenneth M. Curtis Peace Fellowship, referred to in this resolve as the "fellowship," is established. The fellowship is administered by the Department of Education and provides funds to allow 10 Maine teenagers to attend the Seeds of Peace International Camp during each summer. The Department of Education shall develop a process to select fellowship recipients; and be it further

Sec. 2. Fellowship recipients. Resolved: That 5 of the 10 fellowship recipients each summer must be girls and 5 of the 10 fellowship recipients each summer must be boys. Five of the 10 fellowship recipients each summer must be from the First Congressional District and 5 of the 10 fellowship recipients each summer must be from the Second Congressional District; and be it further

Sec. 3. Funds not lapsing. Resolved: That funds appropriated to the fellowship do not lapse but must be carried forward; and be it further

Sec. 4. Repeal. Resolved: That this resolve is repealed 3 years from the effective date of this resolve; and be it further

Sec. 5. Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

	1999-00	2000-01
EDUCATION, DEPARTMENT OF		
John H. Reed-Kenneth M. Curtis Peace Fellowship		
All Other	\$37,500	\$37,500
Provides funds to capitalize the John H. Reed-Kenneth M. Curtis Peace Fellowship.		

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

Effective June 11, 1999.

CHAPTER 72

H.P. 1572 - L.D. 2220

Resolve, Regarding Legislative Review of Portions of Sections 61, 62, 63, 68, 69 and 73 of 10-149, Chapter 5: Bureau of Elder and Adult Services Policy 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 portions of Sections 61, 62, 63, 68, 69 and 73 of 10-149, Chapter 5: Bureau of Elder and Adult

Services Policy 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 as long as the rules are amended as follows.

1. On page 47 in paragraph (D), the entry on consumer payments in the adult day services program must be amended to provide for payments at 3 levels, as follows:

Income as % of federal poverty level	Co-pay
less than 300%	20%
300 to 400%	35%
over 400%	50%.

2. On page 54 in paragraph (E), the entry on consumer payments in the congregate housing services program must be amended to provide for payments at 3 levels as follows:

Income as % of federal poverty level	Co-pay
less than 300%	20%
300 to 400%	35%
over 400%	50%.

3. On page 89 in paragraph (E), the entry on consumer payments in the program on respite care for people with Alzheimer's or related disorders must be amended to provide for payments at 3 levels as follows:

Income as % of federal poverty level	Co-pay
less than 300%	20%
300 to 400%	35%
over 400%	50%.

4. On page 91 in paragraph (B), the entry on consumer payments in the Bureau of Elder and Adult Services Administered Homemaker Services program must be amended to provide for payments at 3 levels as follows:

Income as % of federal poverty level	Co-pay
less than 300%	20%
300 to 400%	35%
over 400%	50%.

5. Calculation of consumer income in the consumer-directed home based care program must include spouse's income, phased in over 2 years. From February 1, 2000 to December 30, 2000, 50% of the spouse's income must be included in household income. From January 1, 2001, 100% of the spouse's income must be included in household income.