

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

Whereas, the Maine Revised Statutes, 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 and 73 of 10-49, Chapter 5, Bureau of Elder and Adult Services Policy Manual, a provisionally adopted major substantive rule of the Department of Human Services, that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A is authorized if the Department of Human Services amends the rules as follows:

1. With regard to adult day services, Alzheimer's respite, congregate housing services and the home-maker program in sections 61, 62, 63, 68 and 73, a requirement is added that consumers who may qualify for a waiver be informed of the right to apply for a waiver; and

2. With regard to in-home and community support services and personal care assistance for severely physically disabled adults, reference to determination of the dependent allowance in agreement with the method used in the Medicaid program is added in sections 63.09(C) and 73.07(C).

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

Effective April 14, 2000.

CHAPTER 119

S.P. 956 - L.D. 2497

Resolve, to Ensure Adequate District Court Facilities for Western York County

Sec. 1. Maine Governmental Facilities Authority authorized to issue additional securities to replace the Springvale District Court. Resolved: That, pursuant to the Maine Revised Statutes, Title 4, section 1606, subsection 2, the Maine Governmental Facilities Authority is authorized to issue additional securities in its own name in an amount of \$1,200,000 on or after July 1, 2001 for the purpose of replacement of the Springvale District Court.

See title page for effective date.

CHAPTER 120

S.P. 1029 - L.D. 2609

Resolve, to Ensure Adequate Funding for the Lewiston District Court

Sec. 1. Maine Governmental Facilities Authority authorized to issue additional securities to replace the Lewiston District Court. Resolved: That, pursuant to the Maine Revised Statutes, Title 4, section 1606, subsection 2, the Maine Governmental Facilities Authority is authorized to issue additional securities in its own name in an amount of \$2,000,000 on or after July 1, 2001 for the purpose of replacement of the Lewiston District Court.

See title page for effective date.

CHAPTER 121

S.P. 1017 - L.D. 2585

Resolve, to Establish the National Guard Education Assistance Pilot Program

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 National Guard is a valuable resource for the State of Maine; and

Whereas, those in service to Maine deserve to be recognized and rewarded for their service; and

Whereas, it is imperative that this legislation take effect in time to allow members of the Maine National Guard to attend classes in the summer; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of