

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE**

**SECOND REGULAR SESSION**  
**January 2, 2002 to April 25, 2002**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 25, 2002**

**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**  
**2002**

**4. Staff.** The Maine Technical College System shall provide staff support to the council.

**5. Report.** By February 1, 2003, the council shall provide an interim report to the joint standing committee of the Legislature having jurisdiction over health and human services matters regarding the work of the council and any initiatives, laws or rules pertaining to the skilled health care workforce regarding which the council provided input to the Commissioner of Human Services, the Commissioner of Labor or the Department of Human Services, Bureau of Medical Services. By November 3, 2004 the council shall provide a final report on the same issues and in the same manner as the interim report.

See title page for effective date.

**CHAPTER 90**

**H.P. 1547 - L.D. 2050**

**Resolve, Regarding Legislative Review of Chapters I to IV: Regulations Governing the Licensing and Functioning of Assisted Living Facilities, 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 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 Chapters I to IV: Regulations Governing the Licensing and Functioning of Assisted Living Facilities, 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 provided the rules are amended in section 2040.22 [c] to require assisted living facilities to distribute to a new resident a copy of the brochure from the Long-term Care Ombudsman Program and in section 4210 to require that copies of survey results be placed in a common area.

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

Effective March 28, 2002.

**CHAPTER 91**

**H.P. 1643 - L.D. 2148**

**Resolve, to Require the Maine Fire Protection Services Commission to Report Regarding Methods to Improve the Recruitment and Retention of Firefighters and the Provision of Health Care**

**Sec. 1. Recruitment, retention and health care study. Resolved:** That the Maine Fire Protection Services Commission, established pursuant to the Maine Revised Statutes, Title 5, section 3371, shall report on the problems facing the State regarding recruitment and retention of firefighters and the provision of health care to firefighters and recommend methods of increasing recruitment and retention and providing health care to firefighters. The commission shall submit its report, along with recommended implementing legislation, to the First Regular Session of the 121st Legislature by December 16, 2002.

See title page for effective date.

**CHAPTER 92**

**H.P. 1450 - L.D. 1947**

**Resolve, to Establish a Demonstration Project to Review Requirements Imposed on Agencies Contracting with the Department of Behavioral and Developmental Services**

**Sec. 1. Demonstration project to review requirements imposed on agencies contracting with the Department of Behavioral and Developmental Services. Resolved:** That, beginning August 1, 2002, the Department of Behavioral and Developmental Services shall