

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTY-FIRST LEGISLATURE

FIRST SPECIAL SESSION
August 21, 2003 to August 22, 2003

The General Effective Date For
First Special Session
Non-Emergency Laws Is
November 22, 2003

SECOND REGULAR SESSION
January 7, 2004 to January 30, 2004

The General Effective Date For
Second Regular Session
Non-Emergency Laws Is
April 30, 2004

SECOND SPECIAL SESSION
February 3, 2004 to April 30, 2004

The General Effective Date For
Second Special Session
Non-Emergency Laws Is
July 30, 2004

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Penmor Lithographers
Lewiston, Maine
2004

General Fund	2003-04
All Other	\$67,843
	\$67,843

Long Term Care - Human Services 0420

Initiative: Provides for the appropriation of funds for long-term care assessments.

General Fund	2003-04
All Other	\$186,000
	\$186,000

HUMAN SERVICES, DEPARTMENT OF DEPARTMENT TOTALS 2003-04

GENERAL FUND	\$382,758
OTHER SPECIAL REVENUE FUNDS	11,700

DEPARTMENT TOTAL - ALL FUNDS	\$394,458
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PART C

Sec. C-1. 22 MRSA §1815, as amended by PL 2003, c. 20, Pt. K, §4, is further amended to read:

§1815. Fees

Each application for a license to operate a hospital, convalescent home or nursing home must be accompanied by a nonrefundable fee. Hospitals shall pay ~~\$100~~ \$40 for each bed contained within the facility. Nursing and convalescent homes shall pay \$45 ~~\$26~~ for each bed contained ~~with~~ within the facility. Each application for a license to operate an ambulatory surgical facility must be accompanied by the fee established by the department. The department shall establish the fee for an ambulatory surgical facility, not to exceed \$500, on the basis of a sliding scale representing size, number of employees and scope of operations. All licenses issued must be renewed annually upon payment of a like fee. The State's share of all fees received by the department under this chapter must be deposited in the General Fund. A license granted may not be assignable or transferable. State hospitals are not required to pay licensing fees.

Sec. C-2. Federal funds to be nonlapsing. Notwithstanding any other provision of law, the carry-over balance of federal funds received by the Department of Human Services from the federal Department of Health and Human Services' Administration on Aging, as a result of the federal Older Americans Act of 1965 and granted to the Area Agencies on Aging or

Maine Alzheimer's Project from fiscal year 2002-03, may not lapse back to the State but must be carried forward until September 30, 2005 by the Area Agencies on Aging or Maine Alzheimer's Project to carry out the missions of their programs.

Sec. C-3. Department of Human Services; revenue. Notwithstanding any other provision of law, the Department of Human Services shall deposit to the General Fund, no later than June 30, 2004, undedicated revenue in the amount of \$382,758, generated from fiscal year 2002-03 funds returned from providers.

Sec. C-4. Retroactivity. That section of this Part that amends the Maine Revised Statutes, Title 22, section 1815 applies retroactively to July 1, 2003.

PART D

Sec. D-1. PL 2003, c. 333, §22 is repealed.

Sec. D-2. Effective date. That section of this Part that repeals Public Law 2003, chapter 333, section 22 takes effect September 13, 2003.

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

Effective August 26, 2003, unless otherwise indicated.

CHAPTER 508

S.P. 600 - L.D. 1637

An Act To Provide a Clear Transition for the County Commissioner Districts as Apportioned by Public Law 2003, Chapter 43 and as Codified by Public Law 2003, Chapter 291

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

Whereas, the public laws effecting reapportionment of county commissioner districts do not provide a clear transition provision; and

Whereas, the passage of this legislation is immediately necessary for the Secretary of State to prepare ballots for the 2 county charter commission elections in November 2003; 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. 30-A MRSA §66-A, sub-§17 is enacted to read:

17. Transition. A person holding the office of county commissioner on September 13, 2003 continues to serve the remainder of the term for which elected. Candidates for the office of county commissioner for districts in which the term of office expires in 2004 will run for office for the districts established in this section. As of January 1, 2005, all county commissioners represent the districts established in this section, regardless of when elected.

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

Effective August 26, 2003.
