

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**November 13, 2002 to November 14, 2002**

**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 4, 2002 to June 14, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**FEBRUARY 13, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 13, 2003**

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

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2003**

**CHAPTER 21****H.P. 1016 - L.D. 1386****Resolve, Regarding Legislative Review of Portions of Chapter 840, Private Purchasing Alliances, a Major Substantive Rule of the Department of Professional and Financial Regulation, Bureau of Insurance**

**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 2-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 Chapter 840, Private Purchasing Alliances, a provisionally adopted major substantive rule of the Department of Professional and Financial Regulation, Bureau of Insurance that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective May 15, 2003.

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**CHAPTER 22****H.P. 1092 - L.D. 1495****Resolve, Regarding Legislative Review of Chapter 311: Eligible Resource Portfolio Requirements Rule Amendment, a Major Substantive Rule of the Public Utilities Commission**

**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 2-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 Chapter 311: Eligible Resource Portfolio Requirements Rule Amendment, a provisionally adopted major substantive rule of the Public Utilities Commission that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective May 15, 2003.

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**CHAPTER 23****H.P. 783 - L.D. 1065****Resolve, Directing the Commissioner of Public Safety To Study the Emergency Medical Services System**

**Sec. 1. Commissioner of Public Safety to study emergency medical services system. Resolved:** That the Commissioner of Public Safety shall commission a study of the statewide emergency medical services system including, but not limited to, the following components:

1. An independent assessment of the needs, design and structure of the organization and administration of the emergency medical services system at the regional level;
2. An independent assessment of the needs, design and structure of the organization and administration of the emergency medical services system at the state level; and
3. An independent assessment of the fiscal resources necessary to deliver emergency medical services at the regional and state levels.

In performing these assessments, consideration must be given to means of creating greater efficiency and cost savings while maintaining the current level of services provided; and be it further

**Sec. 2. Inclusion of interested parties. Resolved:** That the assessment process must include solicitation of input and information from the regional emergency medical services councils; Emergency Medical Services' Board; Department of Public Safety, Office of Emergency Medical Services; Maine State Fire Chiefs Association; Maine Ambulance Association; licensed emergency medical services personnel; rescue chiefs; firefighters; members of the general public; hospital emergency department directors; and other interested parties; and be it further

**Sec. 3. Acceptance of funds. Resolved:** That the commissioner may accept and expend funds from any source, public or private, including grants or contributions of money or other things of value, that it determines necessary to carry out the purposes of this resolve. In no instance may the commissioner expend General Fund appropriations to carry out the purposes of this resolve; and be it further

**Sec. 4. Report; legislation. Resolved:** That the commissioner shall submit a report that includes findings and recommendations, including suggested legislation, to the Joint Standing Committee on Criminal Justice and Public Safety no later than January 31, 2004. The Joint Standing Committee on Criminal Justice and Public Safety may report out legislation related to this report to the Second Regular Session of the 121st Legislature; and be it further

**Sec. 5. Appropriations and allocations. Resolved:** That the following appropriations and allocations are made.

**PUBLIC SAFETY, DEPARTMENT OF**

**Administration - Public Safety**

Initiative: Allocates funds on a one-time basis for the costs of conducting an independent study of the statewide emergency medical services system.

<b>OTHER SPECIAL REVENUE</b>		
<b>FUNDS</b>	<b>2003-04</b>	<b>2004-05</b>
All Other	\$50,000	\$0
Other Special Revenue		
Funds Total	\$50,000	\$0

See title page for effective date.

**CHAPTER 24**

**H.P. 421 - L.D. 558**

**Resolve, To Enhance Services to Children and Families**

**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 Department of Human Services has proposed substantial changes to the foster care system to take effect May 15, 2003, including significant reductions in the State's expenditure on foster care for children; 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. Rulemaking. Resolved:** That the Department of Human Services shall adopt rules regarding levels of foster care, including assessment of children and reimbursement rates. The Department of Human Services shall notify the Joint Standing Committee on Health and Human Services of any rule that is proposed pursuant to this resolve. Rules adopted pursuant to this resolve are routine technical rules as defined by the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

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

Effective May 16, 2003.