

# 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**

Joint Standing Committee on Health and Human Services by January 15, 2004 regarding the development of a plan for establishing and funding an electronic death certificate filing system. The bureau shall provide staffing services to support the work of the advisory committee.

See title page for effective date.

## CHAPTER 28

### H.P. 808 - L.D. 1105

#### **Resolve, Regarding Fire Safety Issues in Head Start Preschool Programs Located in Public Schools**

**Sec. 1. Advisory work group convened; duties. Resolved:** That the Department of Human Services and the Department of Education, referred to in this resolve as "the departments," shall convene an advisory work group to examine and make recommendations to the departments regarding fire safety issues in Head Start preschool programs located in public schools; and be it further

**Sec. 2. Advisory group membership. Resolved:** That the Commissioner of Education and the Commissioner of Human Services shall jointly appoint members of the advisory work group from each of the following interested parties: the Maine Head Start Directors Association; the Office of the State Fire Marshal; the Department of Human Services, Office of Child Care and Head Start; the Department of Human Services, Division of Licensing, Child Care Licensing Unit; the Department of Education, School Facilities Services; the Department of Education, Child Development Services; and the Maine School Management Association; and be it further

**Sec. 3. Chairs; convening of advisory work group. Resolved:** That the departments shall jointly appoint cochair of the advisory work group. When the appointment of all advisory work group members is complete, the cochair of the advisory work group shall call and convene the first meeting of the advisory work group; and be it further

**Sec. 4. Recommendations and report. Resolved:** That the advisory work group shall make recommendations to the departments by November 14, 2003 regarding fire safety issues in Head Start preschool programs located in public schools. The advisory work group shall report the results of its work to the Joint Standing Committee on Health and Human Services by January 30, 2004.

See title page for effective date.

## CHAPTER 29

### S.P. 249 - L.D. 711

#### **Resolve, To Lower the Costs of Prescription Drugs through the Use of the Federal Public Health Service Act**

**Sec. 1. Study and report. Resolved:** That the Department of Human Services shall study and by January 1, 2004 shall provide a report to the Joint Standing Committee on Health and Human Services on the feasibility of providing discounted prescription drugs to Maine's most vulnerable patient populations through the use of Section 340B of the federal Public Health Service Act, 42 United States Code, Section 256b (1999), referred to in this resolve as "Section 340B." The department shall work with other state agencies, representatives of state employees and representatives of health care providers and facilities in the State to provide the following information:

**1. Covered entities.** A description of all health care providers and facilities in the State potentially eligible for designation as "covered entities" under Section 340B, including without limitation all hospitals eligible as disproportionate share hospitals; recipients of grants from the United States Public Health Service; federally qualified health centers; federally qualified look-alikes; state-operated AIDS drug assistance programs; Ryan White CARE Act Title I, Title II and Title III programs; tuberculosis, black lung, family planning and sexually transmitted disease clinics; hemophilia treatment centers; public housing primary care clinics; and clinics for homeless people;

**2. Potential applications and benefits.** A listing of potential applications of Section 340B and the potential benefits to public, private and 3rd-party payors for prescription drugs, including without limitation:

A. Application to inmates and employees in youth correctional facilities, county jails and state prisons;

B. Maximizing the use of Section 340B within state-funded managed care plans;

C. Including Section 340B providers in state bulk purchasing initiatives; and

D. Utilizing sole source contracts with Section 340B providers to furnish high-cost chronic care drugs;

**3. Section 340B discounts.** Discounts available through Section 340B contracts, including estimated costs savings to the State as a result of retail mark-up

avoidance, negotiated subceiling prices and coordination with the MaineCare program in order to minimize costs to the program and to other purchasers of prescription drugs; and

**4. Identification of resources.** The resources available to potential applicants for designation as covered entities for the application process, establishing a Section 340B program, restructuring the health care system or other methods of lowering the cost of prescription drugs. The resources must include state and federal agencies and private philanthropic grants to be used for the purposes of this section; and be it further

**Sec. 2. Report out legislation. Resolved:** That the Joint Standing Committee on Health and Human Services may report out legislation to the Second Regular Session of the 121st Legislature regarding use in the State of Section 340B, restructuring the health care system or other methods of lowering the cost of prescription drugs.

See title page for effective date.

**CHAPTER 30**

**S.P. 488 - L.D. 1460**

**Resolve, Authorizing the State Tax Assessor To Convey the Interest of the State in Certain Real Estate in the Unorganized Territory**

**Sec. 1. State Tax Assessor authorized to convey real estate. Resolved:** That the State Tax Assessor is authorized to convey by sale the interest of the State in real estate in the Unorganized Territory as indicated in this resolve. Except as otherwise directed in this resolve, the sale must be made to the highest bidder subject to the following provisions.

1. Notice of the sale must be published 3 times prior to the sale, once each week for 3 consecutive weeks, in a newspaper in the county where the real estate lies except in those cases in which the sale is to be made to a specific individual or individuals as authorized in this resolve, in which case notice need not be published.

2. A parcel may not be sold for less than the amount authorized in this resolve. If identical high bids are received, the bid postmarked with the earliest date is considered the highest bid.

If bids in the minimum amount recommended in this resolve are not received after the notice, the State Tax Assessor may sell the property for not less than the minimum amount without again asking for bids if the property is sold on or before March 1, 2004.

Employees of the Department of Administrative and Financial Services, Bureau of Revenue Services and spouses, siblings, parents and children of employees of the Bureau of Revenue Services are barred from acquiring from the State any of the real property subject to this resolve.

Upon receipt of payment as specified in this resolve, the State Tax Assessor shall record the deed in the appropriate registry at no additional charge to the purchaser before sending the deed to the purchaser.

Abbreviations and plan and lot references are identified in the 2000 State Valuation. Parcel descriptions are as follows.

**2000 MATURED TAX LIENS**

T16 R4 WELS Township, Aroostook County  
 Map AR020, Plan 02, Lot 127 3890249-1  
 Harris, Richard F., Sr. and Pauline et al. 0.61 Acre and Building

**TAX LIABILITY**

2000	\$1,043.88
2001	1,110.57
2002	1,301.30
2003 (estimated)	<u>1,301.30</u>
Estimated Total Taxes	\$4,757.05
Interest	240.57
Costs	16.00
Deed	<u>8.00</u>
<b>Total</b>	<b>\$5,021.62</b>

Recommendation: Sell to Harris, Richard F., Sr. and Pauline et al. for \$5,021.62. If they do not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$5,025.00.

T17 R4 WELS Township, Aroostook County  
 Map AR021, Plan 06, Lot 112 38980517-1  
 Bowman, Donaldine et al. 0.15 Acre

**TAX LIABILITY**

2000	\$14.76
2001	15.41
2002	14.18
2003 (estimated)	<u>14.18</u>
Estimated Total Taxes	\$58.53