

# 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 64****S.P. 419 - L.D. 1288****Resolve, To Increase Public Access to the Prior Authorization Process****Sec. 1. MaineCare procedures. Resolved:**

That the Department of Human Services shall review the procedures applicable to the MaineCare program regarding the Bureau of Medical Services' drug utilization review committee by November 1, 2003. The department shall take steps to advertise more broadly meetings of the drug utilization review committee, including use of legislative notice procedures and direct notice to the Maine Medical Association. The department shall open to the public for observation those portions of the meetings that do not involve confidential or protected information, including, to the extent possible, the process of decision making. By December 1, 2003, the department shall report to the Joint Standing Committee on Health and Human Services and shall provide information on changes in MaineCare procedures for the drug utilization review committee.

See title page for effective date.

**CHAPTER 65****H.P. 1141 - L.D. 1558****Resolve, Authorizing Certain Land Transactions by the Department of Conservation, Bureau of Parks and Lands**

**Preamble.** The Constitution of Maine, Article IX, Section 23 requires that real estate held by the State for conservation or recreation purposes may not be reduced or its uses substantially altered except on the vote of 2/3 of all members elected to each House.

**Whereas,** the real estate authorized for conveyance by this resolve is under the designations described in the Maine Revised Statutes, Title 12, section 598-A; and

**Whereas,** the Director of the Bureau of Parks and Lands within the Department of Conservation may sell or exchange lands with the approval of the Legislature in accordance with the Maine Revised Statutes, Title 12, sections 1837 and 1851; now, therefore, be it

**Sec. 1. Director of Bureau of Parks and Lands authorized to sell or convey certain real estate. Resolved:** That the Director of the Bureau of Parks and Lands within the Department of Conservation may by quitclaim deed convey, for fair market

value as established by an independent appraiser, the following properties on such terms and conditions as the director may direct to SP Forests, L.L.C.:

A. The State's 1/6 common and undivided interest in T1, R4 WELS, in Aroostook County, which is approximately 92 acres;

B. All of the State's fee interest in the Public Lot North, so-called Passadumkeag Mountain North parcel, located in Grand Falls Township, Penobscot County, which is approximately 640 acres; and

C. All of the State's fee interest in the Public Lot South, so-called Passadumkeag Mountain South parcel, located in Grand Falls Township, Penobscot County, which is approximately 362 acres.

See title page for effective date.

**CHAPTER 66****H.P. 1153 - L.D. 1580****Resolve, Regarding Legislative Review of Chapter 113: Rules and Regulations Governing the Licensing and Functioning of Assisted Housing Programs, a Major Substantive Rule of the Department of Human Services, Bureau of Elder and Adult 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 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