

# 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.**

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2004**

public expense in the State whose adopted local policies include the following:

A. Guidelines regarding the appropriate number of school personnel at each campus of the school administrative unit or the private school that are certified in cardiopulmonary resuscitation;

B. Requirements that school personnel that are certified in cardiopulmonary resuscitation receive training from a cardiopulmonary resuscitation training program approved by the Department of Public Safety, Bureau of Emergency Medical Services and taught according to current emergency cardiac care standards;

C. Requirements that school personnel that are certified in cardiopulmonary resuscitation be available at school-sponsored athletic events and other extracurricular events, including field trips requiring transportation on a school bus, held after normal school hours;

D. Requirements that an emergency response team be established for each school campus in the school administrative unit or for the private school, including a description of the role of each emergency response team in providing an immediate response to medical emergencies be described; and

E. Requirements that the school administrative unit or the private school acquire an automated external defibrillator and that any related standards for the implementation of such requirements be related to compliance with state laws, training policies and procedures for the use of this equipment;

3. The need of CPR training for school personnel and, if a need for training was identified, the plan developed to address the necessary training; and

4. The cost to develop the local policies and to implement the policies on an annual basis; and be it further

**Sec. 2. Report. Resolved:** That the Department of Education shall submit a report, including findings and recommended legislation, to the joint standing committee of the Legislature having jurisdiction over education matters during the First Regular Session of the 122nd Legislature by November 3, 2004. The joint standing committee of the Legislature having jurisdiction over education matters has the authority to introduce a bill based on the recommendations of the Department of Education report during the First Regular Session of the 122nd Legislature.

See title page for effective date.

## CHAPTER 113

S.P. 362 - L.D. 1090

### Resolve, To Promote Recruitment and Retention of Direct-care Workers in Long-term Care in Maine

#### Sec. 1. Review and report. Resolved:

That the Department of Human Services, Bureau of Elder and Adult Services work with the Direct-care Worker Coalition that has been meeting to discuss the recruitment and retention of direct-care workers in the field of long-term care. The department shall report back to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 15, 2005. The department shall invite the participation of consumers, representatives of consumers, direct-care workers, representatives of providers of long-term care services and other interested parties. The work of the coalition must include options for achieving parity with other programs providing long-term care services to adults and children with developmental disabilities, a review of data on wages and benefits, an explanation of administrative expenses of agencies providing or coordinating long-term care services, priorities for achieving funding and recommendations for legislation. The joint standing committee of the Legislature having jurisdiction over health and human services matters may report out legislation to the First Regular Session of the 122nd Legislature regarding the recruitment and retention of long-term care workers.

See title page for effective date.

## CHAPTER 114

H.P. 1359 - L.D. 1834

### Resolve, Regarding Legislative Review of Chapter 25.20: Protected Resources, a Major Substantive Rule of the Department of Marine Resources

**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 25.20: Protected Resources, a provisionally adopted major substantive rule of the Department of Marine Resources 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 March 24, 2004.

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**CHAPTER 115**

**H.P. 1376 - L.D. 1850**

**Resolve, Regarding Legislative Review of Chapter 31: Affordable Housing Development District - Recovery of Public Revenue, a Major Substantive Rule of the Maine State Housing Authority**

**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 31: Affordable Housing Development District - Recovery of Public Revenue, a provisionally adopted major substantive rule of the Maine State Housing Authority 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 March 24, 2004.

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**CHAPTER 116**

**H.P. 784 - L.D. 1066**

**Resolve, To Establish a Committee To Examine Issues Relating to the Administration of Municipal General Assistance**

**Sec. 1. General assistance committee established. Resolved:** That the Department of Human Services shall convene a general assistance committee, referred to in this resolve as "the committee," composed of persons interested in the administration of municipal general assistance. The committee must include, but is not limited to, representatives of the Department of Human Services, the Maine Municipal Association, municipal general assistance administrators and persons with low incomes; and be it further

**Sec. 2. Committee duties. Resolved:** That the committee shall examine and make recommendations regarding the following issues:

1. Whether the administration of municipal general assistance can be simplified and access to general assistance for those in need can be improved;
2. The potential for regional general assistance offices, cooperative agreements among towns and other initiatives to reduce administrative costs of providing municipal general assistance and to improve access to general assistance;
3. Ways in which federal housing assistance can be maximized to assist low-income residents of the State. The committee shall meet with representatives of federal and state housing agencies to evaluate whether fair market rents, as established by the United