

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

FIRST REGULAR SESSION
December 1, 2004 to March 30, 2005

FIRST SPECIAL SESSION
April 4, 2005 to June 18, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 17, 2005

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

Penmor Lithographers
Lewiston, Maine
2005

Sec. 5. 30-A MRSA §4452, sub-§5, ¶R, as enacted by PL 1989, c. 287, §4, is amended to read:

R. The laws pertaining to harbors in Title 38, chapter 1, subchapter 1, local harbor ordinances adopted in accordance with Title 38, section 7 and regulations adopted by municipal officers pursuant to Title 38, section 2; and

Sec. 6. 30-A MRSA §4452, sub-§5, ¶S is enacted to read:

S. Local ordinances and ordinance provisions regarding storm water, including, but not limited to, ordinances and ordinance provisions regulating nonstorm water discharges, construction site runoff and postconstruction storm water management, enacted as required by the federal Clean Water Act and federal regulations and by state permits and rules.

See title page for effective date.

CHAPTER 241

H.P. 355 - L.D. 480

An Act To Reduce Costs Caused by New Procedure Changes for Health Care Providers

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 22 MRSA §42, sub-§9 is enacted to read:

9. Effective date of newly adopted rules. Notwithstanding any other provision of law, when the department adopts a rule affecting a process or procedural change for licensed health care providers, the rule may not take effect for at least 30 days unless the department determines that an emergency rule is necessary pursuant to Title 5, section 8054 or unless the rule affects reimbursement rates applicable to those licensed health care providers. For the purposes of this subsection, "licensed health care provider" means a physician, clinic, hospital, health maintenance organization, home health agency, private clinical laboratory or other person who provides primary health care services and is registered or licensed by the State.

See title page for effective date.

CHAPTER 242

S.P. 509 - L.D. 1483

An Act To Amend the Laws Governing Reimbursement of Nursing Facilities and Nursing Home Admission Contracts

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 22 MRSA §1720 is enacted to read:

§1720. Nursing facility medical director reimbursement

The department shall include in its calculation of reimbursement for services provided by a nursing facility an allowance for the cost of a medical director in a base year amount not to exceed \$10,000, with that amount being subject to an annual cost-of-living adjustment.

See title page for effective date.

CHAPTER 243

S.P. 190 - L.D. 581

An Act Regarding Identity Theft Deterrence

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 10 MRSA §1312, sub-§6-B is enacted to read:

6-B. Identity theft. "Identity theft" means the unauthorized use of another person's personal identifying information to obtain credit, goods, services, money or property.

Sec. 2. 10 MRSA §1312, sub-§§10-B and 10-C are enacted to read:

10-B. Proper identification. "Proper identification" means that information generally considered sufficient to identify a person.

10-C. Security freeze or freeze. "Security freeze" or "freeze" means a notice placed in a consumer report at the request of the consumer pursuant to section 1313-C that prohibits a consumer reporting agency from releasing the consumer's report or any information in the report without that consumer's express authorization.

Sec. 3. 10 MRSA §§1313-C, 1313-D and 1313-E are enacted to read: