

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

B. Ways to ensure that savings resulting from implementation of such a portal are passed on to purchasers in the form of rate reductions by hospitals and other providers and by reductions in administrative costs by insurers and 3rd-party administrators.

The work group may also consider the incorporation of medical and quality data to the extent possible in the future.

2. Membership. The work group consists of 17 members appointed by the Governor. The membership of the work group must reflect the geographic diversity of the State. Members serve as volunteers and without compensation or reimbursement for expenses. The membership consists of the following persons:

- A. Four members representing community hospitals chosen from a list submitted by a statewide association representing hospitals;
- B. Four members representing insurers or other 3rd-party payors;
- C. Two members representing physician practices;
- D. One member representing an organization that specializes in the collection of health care data;
- E. One member representing statewide business;
- F. One member representing the Maine Quality Forum;
- G. Two members representing the Department of Administrative and Financial Services, Bureau of Insurance;
- H. One member representing the Department of Health and Human Services; and
- I. The chair of the Public Purchasers' Steering Group.

3. Duties. The work group shall consider the issues outlined in subsection 1. The work group may:

- A. Hold public hearings to collect information from individuals, hospitals, health care providers, insurers, 3rd-party payors, government-sponsored health care programs and interested organizations;
- B. Consult with experts in the fields of health care and hospitals and public policy; and
- C. Examine any other issues to further the purposes of the study.

4. Staff assistance. The Governor's Office of Health Policy and Finance shall staff the work group. The work group shall work in cooperation with the Maine Hospital Association and the Maine Association of Health Plans. The Department of Health and Human Services and the Maine Health Data Organization shall provide additional staff support or assistance as needed.

5. Report. The work group shall submit a report and any suggested legislation to the Governor and the joint standing committee of the Legislature having jurisdiction over health and human services matters and the joint standing committee of the Legislature having jurisdiction over insurance and financial services matters no later than November 1, 2006.

Sec. 8. Review of legislative proposals. During January 2006 the Joint Standing Committee on Health and Human Services shall review the legislative proposals contained in Legislative Document 1673 from the 122nd Legislature that were not enacted during 2005. The committee is authorized to report out a bill to the Second Regular Session of the 122nd Legislature regarding the proposals and the report of the Commission to Study Maine's Community Hospitals.

See title page for effective date.

CHAPTER 395

S.P. 41 - L.D. 135

An Act To Authorize a Tax Rebate Program for Established Residents

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

Sec. 1. 36 MRSA §191, sub-§2, ¶BB, as amended by PL 2003, c. 668, §9 and affected by §12 and amended by c. 689, Pt. B, §6, is further amended to read:

BB. The disclosure to an authorized representative of the Department of Health and Human Services, Office of Head Start and Child Care of taxpayer information directly relating to the certification of investments eligible for or the eligibility of a taxpayer for the quality child care investment credit provided by section 5219-Q; ~~and~~

Sec. 2. 36 MRSA §191, sub-§2, ¶CC, as enacted by PL 2003, c. 668, §10 and affected by §12, is amended to read:

CC. The disclosure to an authorized representative of the Department of Professional and Fi-

financial Regulation of information necessary for the administration of Title 10, chapter 222; and

Sec. 3. 36 MRSA §191, sub-§2, ¶DD is enacted to read:

DD. The disclosure to an authorized representative of a municipality that has adopted a municipal property tax assistance program under chapter 907-A of information related to a claimant's receipt of benefits under chapter 907. This paragraph does not authorize the disclosure of a claimant's income. A municipality receiving information under this paragraph shall keep the information confidential.

Sec. 4. 36 MRSA c. 907-A is enacted to read:

CHAPTER 907-A

MUNICIPAL PROPERTY TAX ASSISTANCE

§6231. Definitions

For the purposes of this chapter, unless the context otherwise indicates, the terms used in this chapter have the same meaning as in chapter 907.

§6232. Municipal authority

The legislative body of a municipality may by ordinance adopt a program to provide benefits to persons with homesteads in the municipality. A municipality may choose to restrict the program to persons who are at least 62 years of age.

1. Conditions of program. A program adopted under this section must:

A. Require that the claimant has a homestead in the municipality;

B. Provide benefits for both owners and renters of homesteads; and

C. Calculate benefits in a way that provides greater benefits proportionally to claimants with lower incomes in relation to their property taxes accrued or rent constituting property taxes accrued.

2. Relationship to state program. Benefits received under a program adopted by a municipality under this section are in addition to benefits provided under chapter 907. A municipality may, but is not required to, provide that:

A. Benefits under the program are equal to a percentage of the benefits received by the claimant under chapter 907;

B. The amount of benefits received under the program may not exceed 50% of property taxes or rent constituting property taxes paid on a homestead; or

C. The amount of benefits received under the program together with benefits received under chapter 907 may not exceed 60% of property taxes or rent constituting property taxes paid on a homestead.

3. Repeal of program. A municipality that has adopted a program under this section may repeal it through the same procedure by which the program was adopted.

See title page for effective date.

CHAPTER 396

H.P. 996 - L.D. 1432

An Act To Reestablish the Milk Handling Fee

Emergency preamble. Whereas, acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the milk handling fee provided significant revenue to the State when it was in effect; and

Whereas, the State is experiencing economic difficulties and significant fiscal problems; and

Whereas, revenues are necessary to the State's ability to address issues vital to the well-being of the State; 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 enacted by the People of the State of Maine as follows:

Sec. 1. 7 MRSA §2954, sub-§1, as amended by PL 1999, c. 679, Pt. B, §3 and affected by §14, is further amended to read:

1. Commission empowered to establish prices; public hearing. The commission is vested with the power to establish and change, after investigation and public hearing, the minimum wholesale and retail prices to be paid to producers, dealers and stores for milk received, purchased, stored, manufactured, processed, distributed or otherwise handled within the State. The commission shall hold a public hearing