

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE**

**SECOND SPECIAL SESSION**

**July 29, 2005**

**SECOND REGULAR SESSION**

**January 4, 2006 to May 24, 2006**

**THE GENERAL EFFECTIVE DATE FOR**

**SECOND SPECIAL SESSION**

**NON-EMERGENCY LAWS IS**

**OCTOBER 28, 2005**

**THE GENERAL EFFECTIVE DATE FOR**

**SECOND REGULAR SESSION**

**NON-EMERGENCY LAWS IS**

**AUGUST 23, 2006**

**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**

**2006**

**CHAPTER 471**

**S.P. 672 - L.D. 1755**

**An Act To Extend Tuition Waivers to Persons Who Have Resided in Subsidized Adoptive Care or Who Have Subsidized Guardians**

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

**Sec. 1. 20-A MRSA §12571, sub-§2-A** is enacted to read:

**2-A. Permanency guardian.** "Permanency guardian" means the person described in Title 22, section 4038-C.

**Sec. 2. 20-A MRSA §12572, first ¶,** as enacted by PL 1999, c. 216, §1 and amended by PL 2003, c. 689, Pt. B, §6, is further amended to read:

Any person who was in the custody of the Department of Health and Human Services and resided in foster care or subsidized adoptive care or was a minor ward of a subsidized permanency guardian as provided in Title 22, section 4038-D at the time that person graduated from high school or successfully completed a general educational development examination or its equivalent under section 257 may attend, as provided in this section, any state postsecondary educational institution free of tuition charges.

**Sec. 3. 22 MRSA §4038-C, first ¶,** as enacted by PL 2005, c. 372, §6, is amended to read:

As part of the permanency plan, the District Court may appoint a person or persons as guardian of a minor, to be known as a permanency guardian. "Permanency guardian," when used in this section and in section 4038-D and Title 20-A, section 12572, means the person or persons appointed as the permanency guardian.

See title page for effective date.

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**CHAPTER 472**

**S.P. 655 - L.D. 1738**

**An Act To Amend the Laws Governing Ferry Service Travel for Individuals with Catastrophic Illness**

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

**Whereas,** people living on islands who suffer from a catastrophic illness must travel to and from the mainland for treatment; and

**Whereas,** the Maine State Ferry Service is the only public transportation available to many of these people; and

**Whereas,** this legislation provides free transportation to those people to allow them to get to their medical appointments, alleviating some of their burden; 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. 23 MRSA §4407** is enacted to read:

**§4407. Free nonemergency transportation services for catastrophic medical reasons**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Catastrophic illness" means an unforeseen, prolonged and extended illness or medical condition, the medical and associated travel expenses of which are not covered by any other state or federal program or any insurance contract.

B. "Free transportation services" means round-trip transportation without charge from an island served by the Maine State Ferry Service to the mainland and back on scheduled trips of vessels of the Maine State Ferry Service for one eligible resident and one personal vehicle to transport the eligible resident to a scheduled medical appointment. "Free transportation services" includes transportation for one adult attendant to accompany an eligible resident to a scheduled medical appointment.

C. "Medically necessary" means prescribed by a physician and reasonably necessary to treat a catastrophic illness.

D. "Unforeseen, prolonged and extended illness or medical condition" means a severe illness or medical condition of a life-threatening nature, the treatment of which is expected to require a series of procedures or therapeutic interventions at regular intervals extending over a period of