

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.

Penmor Lithographers
Lewiston, Maine
2006

are expert in pharmacotherapy for pediatric, geriatric and psychiatric populations.

A. A vote of 2/3 of the members of the department's MaineCare drug utilization review committee present is required to add or delete a drug from the list of drugs that are subject to reimbursement and coverage under the MaineCare program.

B. A determination under rules adopted pursuant to subsection 3 that a drug or category of drug is not covered by the MaineCare program is a final agency action subject to review under the Maine Administrative Procedure Act.

Sec. DDDD-2. PL 2005, c. 386, Pt. X, §§6 and 7 are repealed.

Sec. DDDD-3. Retroactivity. This Part applies retroactively to June 13, 2005.

PART EEEE

Sec. EEEE-1. Report. The Commissioner of Health and Human Services shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 15, 2007 on the efforts of the Department of Health and Human Services to increase the availability of workers for homemaker and home-based care programs administered by the Office of Elder Services.

PART FFFF

Sec. FFFF-1. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Homestead Property Tax Exemption Reimbursement 0886

Initiative: Deappropriates fiscal year 2005-06 savings.

GENERAL FUND	2005-06	2006-07
All Other	(\$3,800,000)	\$0
GENERAL FUND TOTAL	(\$3,800,000)	\$0

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective March 29, 2006, unless otherwise indicated.

CHAPTER 520

S.P. 723 - L.D. 1923

An Act To Maintain Standards for the Plumbing Profession

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

Sec. 1. 32 MRSA §3501, sub-§2, ¶B, as amended by PL 2003, c. 688, Pt. A, §37, is further amended to read:

B. A minimum of 2,000 hours of work in the field of plumbing installations as a journeyman-in-training under the supervision of a licensed master plumber, as long as the work experience is obtained within 4 years of the date upon which the applicant was issued a journeyman-in-training license. A journeyman-in-training license must be issued upon sworn application to any person who has satisfactorily completed one academic year of instruction in plumbing at a board-approved technical college or community college or a registered Department of Labor joint apprenticeship program and who has obtained a passing grade, as determined by the board on the journeyman's examination.

See title page for effective date.

CHAPTER 521

H.P. 1292 - L.D. 1852

An Act To Amend the Laws Governing Permanency Guardians

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

Sec. 1. 22 MRSA §4038-C, sub-§7, as enacted by PL 2005, c. 372, §6, is amended to read:

7. Effect on inheritance rights and public benefits. The appointment of a permanency guardian does not affect the inheritance rights between a child and the child's parent or parents.

The appointment of a permanency guardian may not affect the child's entitlement to benefits due that child from any 3rd person, agency or state or the United States. The Except as required by federal law or regulation, the permanency guardian's resources and income are not counted in determining eligibility for any public benefit to which the child may be entitled.

The permanency guardianship does not affect the rights and benefits that a Native American derives