

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

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. 22 MRSA §42, sub-§8, ¶B, as enacted by PL 2003, c. 612, §1, is amended to read:

B. With respect to any services that MaineCare providers have rendered prior to the date of adoption of retroactive rules adopted pursuant to this subsection, such rules may not reduce or otherwise negatively affect the reimbursement or other payments that those providers are entitled to receive under the previously applicable rules. The reimbursement or other payments under the amended rules must be equal to or greater than the reimbursement under the rules previously in effect. The rules may retroactively increase provider reimbursement on an emergency basis if needed to ensure that MaineCare members have access to covered medically necessary services.

Sec. 2. 22 MRSA §42, sub-§8, ¶F, as enacted by PL 2003, c. 612, §1, is repealed.

Sec. 3. Continuing improvements in MaineCare program. The MaineCare Advisory Committee, established pursuant to the MaineCare Benefits Manual, chapter I, section 1.23, shall review the report of the Blue Ribbon Commission on the Future of MaineCare with the goal of identifying initiatives for the continuing improvement of the MaineCare program in order to preserve the long-term capability of the State to provide high quality health care services to MaineCare beneficiaries. The MaineCare Advisory Committee shall also review and monitor changes in the federal Medicaid program and implementation of the provisions of the federal Deficit Reduction Act of 2005, Public Law 109-171.

Sec. 4. Report. The MaineCare Advisory Committee shall report to the Joint Standing Committee on Health and Human Services the results of its review under section 3 and any recommendations the committee has for legislation or rulemaking by the Department of Health and Human Services in an initial report by September 1, 2006 and a final report by January 1, 2007. The report must identify strategies that ensure the sustainability of the MaineCare program while protecting the health and welfare of MaineCare beneficiaries and the viability of Maine's health care provider safety net.

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

Effective May 30, 2006.

CHAPTER 649

H.P. 1367 - L.D. 1950

An Act To Authorize State Participation in the Unified Carrier Registration System

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

Sec. 1. 29-A MRSA §551, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

§551. Multistate agreement and federal programs

1. Authorization. The Secretary of State, acting with the concurrence of the Commissioner of Transportation and the Commissioner of Public Safety, may enter into a multistate agreement or federal program for the administration of this subchapter. The Secretary of State may participate in the Unified Carrier Registration System created under the federal Unified Carrier Registration Act of 2005 authorized in PL 109-59.

2. Purpose. It is the purpose of this section to:

A. Promote and encourage the fullest and most efficient use of the highway system by providing for a single point of contact for the administration of ~~states' operating authority requirements~~ multistate and federal programs;

B. Provide for a uniform set of rules among participating states;

C. Enable participating states to act cooperatively in the collection of fees and the enforcement of insurance requirements; and

D. Establish and maintain the concept of one administrating state for each ~~permitted~~ motor carrier based on the rules established under a multistate agreement or federal program.

3. Principle. The Legislature, in authorizing the Secretary of State to enter into a multistate agreement or federal program, recognizes that the concept of one administrating state should promote the more efficient use of the highway system while protecting the travelling public. The Legislature further recognizes that a multistate agreement or federal program should reduce the administrative burden for the motor carrier industry by limiting the number of contacts necessary when a motor carrier operates in interstate commerce.

4. Authorization. The Secretary of State may enter into a multistate agreement or federal program for the administration of this subchapter consistent

with the purposes and principles of this section. The Secretary of State may collect and distribute fees for other participating jurisdictions and receive fees from those jurisdictions collected on behalf of this State. The Secretary of State may collect, distribute and receive fees pursuant to the requirements of the federal Unified Carrier Registration Act of 2005 authorized by PL 109-59.

5. Rules. The Secretary of State, with the concurrence of the Commissioner of Transportation and the Commissioner of Public Safety, may make rules to implement a multistate agreement or federal program entered into under this section.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

SECRETARY OF STATE, DEPARTMENT OF

Administration - Motor Vehicles 0077

Initiative: Allocates funds on a one-time basis for travel, printing and mailing costs that will be incurred as a result of the State's participation in the federal Unified Carrier Registration System.

HIGHWAY FUND	2005-06	2006-07
All Other	\$0	\$8,600
HIGHWAY FUND TOTAL	\$0	\$8,600

See title page for effective date.

CHAPTER 650

H.P. 1369 - L.D. 1955

An Act To Provide Emergency Regional Economic Development Assistance for Brunswick Naval Air Station

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

Sec. 1. 30-A MRSA §5250-I, sub-§11-A is enacted to read:

11-A. Military redevelopment zone. "Military redevelopment zone" means a specified area within a municipality that is contained within a labor market that includes a military facility that sustained a loss of 400 or more employed workers, if the loss was caused by a federal military facility closure or downsizing, during the 5-year period immediately preceding the time of application for designation as a military redevelopment zone, or is projected to sustain a loss of 400 or more employed workers during the 5-year period immediately following the time of application, and has been designated by the commissioner as a

military redevelopment zone under section 5250-J, subsection 2-A.

Sec. 2. 30-A MRSA §5250-J, sub-§1, ¶D, as amended by PL 2005, c. 451, §1, is further amended to read:

D. Washington County and the Downeast region; ~~and~~

Sec. 3. 30-A MRSA §5250-J, sub-§1, ¶E, as enacted by PL 2005, c. 451, §1, is amended to read:

E. Up to 100 acres of land owned by the Aroostook Band of Micmacs and the Houlton Band of Maliseet Indians; up to 500 acres of land owned by the Penobscot Nation; and up to 500 acres of land owned by the Passamaquoddy Tribe; and

Sec. 4. 30-A MRSA §5250-J, sub-§1, ¶F is enacted to read:

F. A military redevelopment zone.

Sec. 5. 30-A MRSA §5250-J, sub-§2-A is enacted to read:

2-A. Application for designation as military redevelopment zone. The total area available for designation as a military redevelopment zone may not exceed 1,500 acres and:

A. Up to 500 acres of a military redevelopment zone that is within the appropriate labor market may be outside a military facility boundary. Applications for designation as a military redevelopment zone under this section must be received by the commissioner by August 1, 2011; and

B. Up to 1,000 acres of a military redevelopment zone may be reserved for property that is within the boundaries of a military facility that is subject to closure. Applications for designation as a military redevelopment zone under this section must be received by the commissioner beginning on the date of the military facility's closure and up to 7 years after the date of the military facility's closure.

A municipality may apply to the commissioner for the designation of a military redevelopment zone in accordance with the requirements of this subchapter.

Sec. 6. 30-A MRSA §5250-J, sub-§3, ¶G, as enacted by PL 2003, c. 688, Pt. D, §2, is amended to read:

G. ~~All~~ Except for a military redevelopment zone established pursuant to subsection 1, paragraph F, all property included within a Pine Tree Development Zone must meet one of the following: