

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

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

Whereas, water in the Town of Machiasport has been contaminated from a former radar transmission station and this poses a serious threat to the health and well-being of the inhabitants in the area; and

Whereas, an adequate supply of water is essential to the health and well-being of the inhabitants of the Town of Machiasport; 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. P&SL 2003, c. 47, §7, first ¶ is amended to read:

Sec. 7. Emergency clause; referendum; effective date. In view of the emergency cited in the preamble, this Act takes effect when approved only for the purpose of permitting its submission to the legal voters within the territory described in section 1 of this Act at an election called for that purpose and held by July 1, ~~2006~~ 2007. The election must be called by the municipal officers of the town and be held at the regular voting places. The election must be called, advertised and conducted according to the law relating to municipal elections, except that the registrar of voters is not required to prepare or the clerk to post a new list of voters. For the purpose of registration of voters, the registrar of voters must be in session the secular day preceding the election. The subject matter of this Act is reduced to the following question:

Sec. 2. P&SL 2003, c. 47, §7, last ¶ is amended to read:

This Act takes effect for all purposes immediately upon its approval by a majority of the legal voters voting at the election. Failure to achieve the necessary approval in any referendum does not prohibit subsequent referenda consistent with this section, provided the referenda are held prior to July 1, ~~2006~~ 2007.

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

Effective May 30, 2006.

CHAPTER 64

H.P. 931 - L.D. 1348

An Act To Increase Funding for Meals on Wheels Program

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

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses for the reimbursement of meals on wheels programs for travel expenses will become due and payable prior to June 30, 2006; 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. Appropriations and allocations. The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

Elder and Adult Services, Bureau of

Initiative: Provides funds to supplement funding for mileage reimbursement to volunteers of meals on wheels programs. The funds are to be distributed to each Area Agency on Aging via the guidelines identified in the federal Older Americans Act of 1965. Any unexpended money appropriated or allocated may not lapse, but must be carried forward.

GENERAL FUND	2005-06	2006-07
All Other	\$75,000	\$0
GENERAL FUND TOTAL	\$75,000	\$0

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

Effective June 1, 2006.

CHAPTER 65

H.P. 1355 - L.D. 1914

An Act To Increase Wheelchair Van Services Reimbursement Rates

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

Sec. 1. Reimbursement rates. The Department of Health and Human Services shall increase the MaineCare program reimbursement rates for wheelchair van services on an ongoing basis beginning in fiscal year 2006-07.

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

HEALTH AND HUMAN SERVICES, DEPARTMENT OF

Medical Care - Payments to Providers 0147

Initiative: Appropriates and allocates funds to increase the reimbursement rates for wheelchair van services under the MaineCare program to cover losses the providers are incurring.

GENERAL FUND	2005-06	2006-07
All Other	\$0	\$50,000
GENERAL FUND TOTAL	\$0	\$50,000
FEDERAL EXPENDITURES FUND	2005-06	2006-07
All Other	\$0	\$85,796
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$85,796

See title page for effective date.

CHAPTER 66

S.P. 744 - L.D. 1946

An Act To Ensure the Continued Ability of the Maine Economic Growth Council To Produce the Measures of Growth Report and Provide Financial Assistance for Flood Damage

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

Whereas, municipalities adversely affected by flooding require immediate assistance; and

Whereas, available funding provided in this Act will not be available after the close of the fiscal year; 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. Appropriations and allocations. The following appropriations and allocations are made.

BAXTER COMPENSATION AUTHORITY

Baxter Compensation Authority 0117

Initiative: Deappropriates operational funds that are no longer necessary.

GENERAL FUND	2005-06	2006-07
All Other	(\$425,000)	\$0
GENERAL FUND TOTAL	(\$425,000)	\$0

BAXTER COMPENSATION AUTHORITY

DEPARTMENT TOTALS 2005-06 2006-07

GENERAL FUND	(\$425,000)	\$0
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DEPARTMENT TOTAL - ALL FUNDS	(\$425,000)	\$0
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DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Administration - Maine Emergency Management Agency 0214

Initiative: Appropriates funds to assist certain municipalities with the State's share of costs resulting from floods that occurred in the spring of 2005.

GENERAL FUND	2005-06	2006-07
All Other	\$0	\$880,000
GENERAL FUND TOTAL	\$0	\$880,000

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

DEPARTMENT TOTALS 2005-06 2006-07

GENERAL FUND	(\$0)	\$880,000
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DEPARTMENT TOTAL - ALL FUNDS	(\$0)	\$880,000
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ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Maine Economic Growth Council 0727

Initiative: Provides funding for the printing of the Measures of Growth Report to be matched on at least a dollar-for-dollar basis from private funding sources.

GENERAL FUND	2005-06	2006-07
All Other	\$0	\$20,000
GENERAL FUND TOTAL	\$0	\$20,000

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

DEPARTMENT TOTALS 2005-06 2006-07

GENERAL FUND	\$0	\$20,000
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