

# 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**

**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.

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

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.

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

**BAXTER COMPENSATION AUTHORITY**

<b>DEPARTMENT TOTALS</b>	<b>2005-06</b>	<b>2006-07</b>
<b>GENERAL FUND</b>	<b>(\$425,000)</b>	<b>\$0</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>(\$425,000)</b>	<b>\$0</b>

**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.

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

**DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF**

<b>DEPARTMENT TOTALS</b>	<b>2005-06</b>	<b>2006-07</b>
<b>GENERAL FUND</b>	<b>(\$0)</b>	<b>\$880,000</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>(\$0)</b>	<b>\$880,000</b>

**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.

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

**ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF**

<b>DEPARTMENT TOTALS</b>	<b>2005-06</b>	<b>2006-07</b>
<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$20,000</b>

DEPARTMENT TOTAL -		
ALL FUNDS	\$0	\$20,000

**PUBLIC SAFETY, DEPARTMENT OF**

**Gambling Control Board Z002**

Initiative: Deappropriated operating funds that are no longer needed.

GENERAL FUND	2005-06	2006-07
All Other	(\$250,000)	\$0
GENERAL FUND TOTAL	(\$250,000)	\$0

PUBLIC SAFETY, DEPARTMENT OF		
DEPARTMENT TOTALS	2005-06	2006-07
GENERAL FUND	(\$250,000)	\$0

DEPARTMENT TOTAL -		
ALL FUNDS	(\$250,000)	\$0

SECTION TOTALS	2005-06	2006-07
GENERAL FUND	(\$675,000)	\$900,000

SECTION TOTAL -		
ALL FUNDS	(\$675,000)	\$900,000

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

Effective June 1, 2006.

**CHAPTER 67**

**H.P. 1472 - L.D. 2081**

**An Act To Implement the Recommendations of the Joint Standing Committee on Agriculture, Conservation and Forestry Relating to the Seed Potato Board**

**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.

**AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF**

**Seed Potato Board 0397**

Initiative: Appropriates funds on an ongoing basis for operational equipment needed at the Porter Seed Farm in Masardis.

GENERAL FUND	2005-06	2006-07
All Other	\$0	\$30,000

GENERAL FUND TOTAL	\$0	\$30,000
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See title page for effective date.

**CHAPTER 68**

**S.P. 861 - L.D. 2115**

**An Act To Amend the Boundaries between the City of Saco and the Town of Old Orchard Beach**

**Mandate preamble.** This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

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

**Whereas,** it is the desire of the Town of Old Orchard Beach and the City of Saco to change their common boundary; and

**Whereas,** a parcel of land currently sits across the common boundary and the ability of the current owner to build on the parcel is uncertain without a change to the common boundary; and

**Whereas,** the Town of Old Orchard Beach and the City of Saco have agreed that the parcel should be wholly within the boundary of the Town of Old Orchard Beach; 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 1883, c. 248, §1,** as amended by PL 1991, c. 33, is further amended to read:

**Sec. 1. Boundaries changed and extended; payment of damages.** All that part of the city of Saco lying within the following described lines and boundaries, namely; commencing at the easterly corner between the said city of Saco and the town of Scarborough; thence by the line between said city of Saco and said town of Scarborough northwesterly to a