

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 1, 2004 to March 30, 2005**

**FIRST SPECIAL SESSION**  
**April 4, 2005 to June 18, 2005**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 29, 2005**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 17, 2005**

**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**  
**2005**

believe the mandate is deserving of review. Identified characteristics may include, but are not limited to, the following:

- A. Archaic or unnecessary features or features lacking significant public purpose;
- B. Inadequate funding;
- C. Disproportionate efforts for the public policy benefit;
- D. Coordination between federal law and regulation and state law and rule;
- E. Subjection to excessive administrative oversight; and
- F. An insufficient structure to predict, measure or control local costs; and be it further

**Sec. 2. Participation of other entities. Resolved:** That the Intergovernmental Advisory Group, in the conduct of its duties, may seek information from all related state agencies, statewide or regional associations representing municipalities and statewide associations representing the beneficiaries or interests that may be affected by the repeal, modification, redesign, enhanced coordination or delayed implementation of the mandates; and be it further

**Sec. 3. Report. Resolved:** That, no later than November 2, 2005, the Intergovernmental Advisory Group shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Joint Standing Committee on State and Local Government and the Legislative Council. In its proposed implementing legislation, the Intergovernmental Advisory Group may include proposals to repeal, modify, redesign, effectively coordinate or delay the implementation of any of the listed mandates, as may be appropriate. The Intergovernmental Advisory Group is not authorized to introduce legislation. Following receipt and review of the report, the Joint Standing Committee on State and Local Government may report out a bill to the Second Regular Session of the 122nd Legislature.

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

Effective May 20, 2005.

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## CHAPTER 31

### H.P. 24 - L.D. 21

#### **Resolve, Directing the Department of Health and Human Services To Adopt Rules Regarding the Licensing of New Opioid Treatment Programs**

**Sec. 1. Rulemaking. Resolved:** That, by November 1, 2005, the Department of Health and Human Services, Office of Substance Abuse shall adopt rules regarding the licensing of new opioid treatment programs to clarify that certificate of need requirements are controlled by the Maine Revised Statutes, Title 22, chapter 103-A and to require the following regarding the licensing process: early discussions among representatives of the proposed program, the municipality and residents of the municipality about the proposed program and options for siting; notice to the public in a local newspaper regarding the proposed program and a public meeting to discuss the program; a public meeting for representatives of the proposed program to present information about opioid treatment and plans for the program and for the public to provide input regarding those plans; and annual meetings for licensed opioid treatment programs and their boards with the municipalities in which they are located and municipal law enforcement and residents. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

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## CHAPTER 32

### S.P. 500 - L.D. 1458

#### **Resolve, Regarding the Conveyance of a Right-of-way across the Elizabeth Levinson Center in Bangor**

**Sec. 1. Commissioner of Administrative and Financial Services authorized to transfer easement with no covenants of title across Elizabeth Levinson Center in Bangor, subject to conditions. Resolved:** That the Commissioner of Administrative and Financial Services is authorized and directed to convey to Leo J. Davis, his heirs and assigns, an easement with no covenants of title across the Elizabeth Levinson Center in Bangor. The Commissioner of Administrative and Financial Services shall convey the easement upon the following conditions.