

# 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**

10. Transportation services;
11. Socialization supports; and
12. Family support services; and be it further

**Sec. 4. Diverse populations. Resolved:**

That the mental health system must define and be responsive to the needs of diverse populations including:

1. Persons with serious mental illness;
2. Persons with co-occurring substance abuse disorders;
3. Persons who are older;
4. Persons in the criminal justice system;
5. Persons who have trauma and abuse histories; and
6. Persons with co-occurring serious physical illnesses or conditions; and be it further

**Sec. 5. System readiness. Resolved:** That service reform must be undertaken within the following parameters:

1. Significant changes in reimbursement methodology must include actuarial analysis;
2. Administrative burdens must be managed, consistent with Public Law 2003, chapter 673, Part 000, section 2;
3. Federal and state reporting data requirements must be met. Information technology systems must be in place to support data collection and quality management systems that drive reform;
4. The system must use consistent tools for measurement of outcomes, including, but not limited to, individual benefits that are grounded in the values in section 2; and
5. Required MaineCare waivers must be approved, when needed, prior to changes being implemented; and be it further

**Sec. 6. Implementation. Resolved:** That any substantive changes in financing and service delivery of adult mental health services must be phased in with an evaluation process for each phase, with adjustments being made accordingly; and be it further

**Sec. 7. Report. Resolved:** That the Department of Health and Human Services shall provide a report and recommendations, including any recommendations of the working group required under

section 1, to the Joint Standing Committee on Health and Human Services no later than January 15, 2006.

See title page for effective date.

**CHAPTER 86**

**H.P. 1033 - L.D. 1470**

**Resolve, Directing the Judicial Compensation Commission To Examine Allowing Judges To Receive Service Credit for Prior Legislative Service**

**Sec. 1. Judicial Compensation Commission to examine service credit for prior legislative service. Resolved:** That the Judicial Compensation Commission, established pursuant to the Maine Revised Statutes, Title 5, section 12004-G, subsection 23-A, shall examine whether a judge or justice should receive service credit in the Maine Judicial Retirement System for time spent as a Legislator if the judge or justice made payments to the Maine Legislative Retirement System during that legislative service; and be it further

**Sec. 2. Report. Resolved:** That the Judicial Compensation Commission shall report its findings and any recommended legislation to the joint standing committee of the Legislature having jurisdiction over labor matters and the joint standing committee of the Legislature having jurisdiction over judiciary matters by December 1, 2006.

See title page for effective date.

**CHAPTER 87**

**H.P. 458 - L.D. 625**

**Resolve, Regarding Legislative Review of Chapter 500: Stormwater Management and Chapter 502: Direct Watersheds of Lakes Most at Risk from New Development and Urban Impaired Streams, Major Substantive Rules of the Department of Environmental Protection**

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

**Whereas,** the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and