

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.

Penmor Lithographers
Lewiston, Maine
2005

CHAPTER 114**H.P. 1057 - L.D. 1512****Resolve, Directing the Bureau of Health To Study Additional Information about Abortions**

Sec. 1. Bureau of Health study. Resolved: That the Department of Health and Human Services, Bureau of Health shall study additional data that could be collected within existing resources that would be helpful in implementing statewide policies to further reduce the number of unintended pregnancies and abortions. The Bureau of Health shall submit a written report to the Joint Standing Committee on Judiciary by January 15, 2006 with findings and recommendations. The Joint Standing Committee on Judiciary may report out legislation to the Second Regular Session of the 122nd Legislature in response to the report.

See title page for effective date.

CHAPTER 115**H.P. 36 - L.D. 33****Resolve, Regarding Legislative Review of Chapter 101: Establishment of the Capital Investment Fund, a Major Substantive Rule of the Governor's Office of Health Policy and Finance**

Sec. 1. Adoption. Resolved: That final adoption of Chapter 101: Establishment of the Capital Investment Fund, a provisionally adopted major substantive rule of the Governor's Office of Health Policy and Finance that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized, only if the rule is amended as follows:

1. Section 3, paragraph D, subsection (1) of the rule must be amended to add a 5th additional criterion: specifically, consideration of any unused balance in the Capital Investment Fund from the prior year;
2. Section 3, paragraph D, subsection (2) of the rule must be amended to state that the Governor's Office of Health Policy and Finance may convene an ad hoc panel of experts, as provided in the Maine Revised Statutes, Title 2, section 102, subsection 2, to provide input to the office at a public meeting in accordance with the freedom of access laws;
3. Section 3, paragraph E of the rule must be amended to provide for a public hearing between 17 and 24 days after publication of the notice in the

Kennebec Journal, with notice to persons requesting notification between 17 and 24 days prior to the hearing that contains information on the time and place of the public hearing and with the deadline for the submission of comments and with a written notice of the final Capital Investment Fund amount within 120 days; and

4. Section 4 of the rule, "Use and Operation of the Capital Investment Fund," must be amended to exempt hospital and nonhospital projects that are funded fully with public funding from the use of the Capital Investment Fund as a limit on annual resource allocations under the certificate of need program by the Department of Health and Human Services.

See title page for effective date.

CHAPTER 116**H.P. 588 - L.D. 829****Resolve, To Raise a Monument for Women Veterans of Maine**

Sec. 1. Commission established. Resolved: That the Commission to Arrange for a Monument Honoring Women Veterans of Maine, referred to in this resolve as "the commission," is established; and be it further

Sec. 2. Commission membership. Resolved: That the commission consists of 8 members appointed as follows:

1. One member of the Senate, appointed by the President of the Senate;
2. One member of the House of Representatives, appointed by the Speaker of the House;
3. Three members with military experience, 2 of whom must be women veterans, appointed by the President of the Senate;
4. A representative of the Department of Defense, Veterans and Emergency Management who has expertise in veteran affairs, appointed by the President of the Senate;
5. A representative of the Bureau of General Services within the Department of Administrative and Financial Services who has expertise in the design of monuments, appointed by the Speaker of the House; and
6. The chair of the Capitol Planning Commission; and be it further

Sec. 3. Chairs. Resolved: That the Senate member is the Senate chair of the commission and the