

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

CHAPTER 160**H.P. 1409 - L.D. 2007****Resolve, Regarding Legislative Review of Portions of Chapter 113: Regulations Governing the Licensing and Functioning of Assisted Housing Programs: Assisted Living Programs, a Major Substantive Rule of the Department of Health and Human Services**

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

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 113: Regulations Governing the Licensing and Functioning of Assisted Housing Programs: Assisted Living Programs, a provisionally adopted major substantive rule of the Department of Health and Human Services that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective March 30, 2006.

CHAPTER 161**S.P. 142 - L.D. 444****Resolve, Regarding Effective Administration of the MaineCare Program**

Sec. 1. Report. Resolved: That the Department of Health and Human Services shall use its claims data, encounter data and decision support system to evaluate the extent to which service limits under the MaineCare Basic program, established in the Maine Revised Statutes, Title 22, section 3174-FF, result in the receipt, by members who have received services to the limits set by MaineCare Basic, of additional services from alternative providers or in alternative settings because of the limitations. The department shall confer with the MaineCare Advisory Committee in developing the data queries for the research and shall provide the committee with an opportunity to comment on a draft report prior to its final submission. The department shall report its findings to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 15, 2007 along with its recommendations for ensuring that the MaineCare Basic program provides medically necessary services in as cost-effective a manner as possible.

See title page for effective date.

CHAPTER 162**H.P. 1476 - L.D. 2088****Resolve, Concerning the Collection of the Statewide E-9-1-1 Surcharge from Prepaid Wireless Telephone Service**

Sec. 1. Prepaid wireless stakeholder group. Resolved: That the Public Utilities Commission shall form and participate in a stakeholder group to define an appropriate amount of and means of collecting and remitting an E-9-1-1 surcharge under the Maine Revised Statutes, Title 25, chapter 352 on prepaid wireless telephone service. The stakeholder group must include a representative of the Emergency Services Communication Bureau within the commission and a representative of the Office of the Public Advocate. The commission shall also invite participation by representatives of providers of prepaid wireless telephone service that do not also provide post-paid wireless telephone service, providers of post-paid wireless telephone service that also offer prepaid wireless telephone service, national retail store chains that sell prepaid wireless telephone service offered by service providers, local businesses