

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

the Legislative Council, which may grant an extension; and be it further

Sec. 10. Task force budget. Resolved:

That the task force shall seek outside funds to fully fund all costs of the task force. If sufficient outside funding has not been received by September 15, 2006 to fully fund all costs of the task force, no meetings are authorized and no expenses of any kind may be incurred or reimbursed. Contributions to support the work of the task force may not be accepted from any party having a pecuniary or other vested interest in the outcome of the matters being studied. Any person, other than a state agency, desiring to make a financial or in-kind contribution must certify to the Legislative Council that it has no pecuniary or other vested interest in the outcome of the study. The certification must be made in the manner prescribed by the Legislative Council. All contributions are subject to approval by the Legislative Council. All funds accepted must be forwarded to the Executive Director of the Legislative Council along with an accounting record that includes the amount of the funds, the date the funds were received, from whom the funds were received and the purpose of and any limitation on the use of the funds. The Executive Director of the Legislative Council shall administer any funds received by the task force. The Executive Director of the Legislative Council shall notify the chairs of the task force when sufficient funding has been received. Within 10 days after its first meeting, the task force shall present a work plan and proposed budget to the Legislative Council for its approval. The task force may not incur expenses that would result in the task force's exceeding its approved budget; and be it further

Sec. 11. Appropriations and allocations. Resolved:

That the following appropriations and allocations are made.

LEGISLATURE

Study Commissions - Funding 0444

Initiative: Provides an Other Special Revenue Funds allocation to the Legislature in the event outside funding is received for the Human Trafficking Task Force.

OTHER SPECIAL REVENUE

FUNDS	2005-06	2006-07
Personal Services	\$0	\$440
All Other	\$0	\$2,400

OTHER SPECIAL REVENUE		
FUNDS TOTAL	\$0	\$2,840

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

Effective April 28, 2006.

CHAPTER 201

H.P. 1241 - L.D. 1733

Resolve, Directing the Commissioner of Administrative and Financial Services To Establish a Working Group To Develop Options for the Long-term Renovation and Use of the Stone Buildings, the Administrative Building and the Center Building Formerly Occupied by the Augusta Mental Health Institute

Sec. 1. Commissioner of Administrative and Financial Services directed to establish working group to develop plan for buildings formerly occupied by Augusta Mental Health Institute. Resolved:

That the Commissioner of Administrative and Financial Services shall establish a working group to develop options for the long-term renovation and use of the Stone Buildings, the Administrative Building and the Center Building formerly occupied by the Augusta Mental Health Institute. The commissioner shall seek to include in the working group representatives from the Department of Administrative and Financial Services, Bureau of General Services; the Capitol Planning Commission; the Maine Historic Preservation Commission; the City of Augusta; the Maine Association of Realtors; and other individuals or organizations determined appropriate by the commissioner; and be it further

Sec. 2. Working group duties. Resolved:

That the working group established in section 1 shall make recommendations regarding options for the long-term renovation and use of the buildings formerly occupied by the Augusta Mental Health Institute along with specific fiscal implications of those options. Options must include without limitation the following:

1. Using bonds to fund the renovation of the buildings;
2. Using a combination of ground leases and building sales in a public-private partnership for renovation; and
3. Using a combination of state agencies and private lease options for occupancy; and be it further

Sec. 3. Report. Resolved:

That the working group established in section 1 shall report its findings and recommendations under section 2 to the joint standing committee of the Legislature having jurisdiction over state and local government matters no later than February 15, 2007; and be it further

Sec. 4. Authority to report out legislation. Resolved:

That the joint standing committee of the Legislature having jurisdiction over state and local

government matters is authorized to report out legislation concerning the findings and recommendations under section 2 to the First Regular Session of the 123rd Legislature.

See title page for effective date.

CHAPTER 202

S.P. 838 - L.D. 2096

Resolve, To Reduce State Valuation as a Result of the Closure of Georgia- Pacific Facilities

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 Georgia-Pacific Corporation has announced that it is shutting down its Old Town pulp and paper mill; and

Whereas, the closure of the Georgia-Pacific facility may have an enormous impact on the City of Old Town; and

Whereas, this legislation authorizes the City of Old Town, if it becomes necessary, to request a reduction in its state valuation; and

Whereas, it is critically important to address this issue as soon as possible; 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. State valuation for City of Old Town. Resolved: That, notwithstanding the filing deadline set forth in the Maine Revised Statutes, Title 36, section 208-A, the City of Old Town may, by October 1, 2006, request an adjustment under Title 36, section 208-A to its 2005 state valuation based on the impact on the April 1, 2006 municipal valuation of any reduction in value of the Georgia-Pacific Corporation facilities in the city; and be it further

Sec. 2. General purpose aid for local schools; Old Town. Resolved: That, notwithstanding the Maine Revised Statutes, Title 36, section 208-A, if the State Tax Assessor notifies the Commissioner of Education of an adjustment to the state valuation of the City of Old Town pursuant to section 1, the Commissioner of Education shall adjust the payments to the City of Old Town for general purpose

aid for local schools as provided in this section. If any savings occurs in the fiscal year 2006-07 General Purpose Aid for Local Schools account, the appropriate amount of those savings must be applied to increase the Old Town school administrative unit's general purpose aid for local schools for 2006-07. If insufficient savings occur in the fiscal year 2006-07 General Purpose Aid for Local Schools account, the appropriate increase in the Old Town school administrative unit's general purpose aid for local schools for 2006-07 must be applied as an audit adjustment in 2007-08 general purpose aid for local schools.

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

Effective April 28, 2006.

CHAPTER 203

H.P. 1397 - L.D. 1995

Resolve, Directing the Department of Health and Human Services To Amend Its Rules To Ensure Efficiencies in the Billing and Delivery of Outpatient Clinical Services

Sec. 1. Reimbursement to outpatient behavioral health clinical care service providers. Resolved: That in implementing managed behavioral health care services as required by Public Law 2005, chapter 457, Part PP and Public Law 2005, chapter 519, Part ZZZ, and consistent with the budgetary savings in fiscal year 2007 of \$10,431,749 required by Public Law 2005, chapter 457, Part PP, section 3, the Department of Health and Human Services shall amend its rules to allow for reimbursement under the MaineCare program to outpatient behavioral health care clinical service providers who practice independently and are participating providers in the managed care initiative implemented under Public Law 2005, chapters 457 and 519. For the purposes of this section, "outpatient behavioral health care clinical service providers" includes but is not limited to licensed clinical social workers, licensed marriage and family therapists, licensed pastoral counselors and licensed clinical professional counselors.

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.