

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 212

H.P. 1236 - L.D. 1728

**Resolve, Establishing an
Apportionment Commission To
Develop New Cumberland County
Commissioner Districts**

Sec. 1. Apportionment commission. Resolved: That, notwithstanding the Maine Revised Statutes, Title 30-A, section 61, the Legislature shall establish an apportionment commission, referred to in this resolve as "the commission," in accordance with the procedure established in the Constitution of Maine, Article IV, Part Third, Section 1-A to apportion the Cumberland County commissioner districts to increase the number of county commissioner districts in Cumberland County. The commission shall develop 2 plans, one that increases the number of county commissioner districts from 3 to 5 and one that increases the number of districts from 3 to 7. The commission shall include in its apportionment plans the initial terms of office for each commissioner district. The plan to increase the number of districts to 5 must designate 2 commissioner districts that have 2-year initial terms and 3 commissioner districts that have 4-year initial terms. The plan to increase the number of districts to 7 must designate 3 commissioner districts that have 2-year initial terms and 4 commissioner districts that have 4-year initial terms. All subsequent terms under both plans are for 4 years. The commission shall conduct the reapportionment according to the process established in Title 30-A, section 65, subsection 1, paragraphs A and B; and be it further

Sec. 2. County referendum. Resolved: That the Cumberland County commissioners shall vote on which plan of the 2 under section 1 to send to the voters and may submit the plan to the voters of Cumberland County at the June 2007 election. The plan must be submitted by the commission to the Clerk of the House of Representatives no later than January 15, 2008 for enactment by the Second Regular Session of the 123rd Legislature; and be it further

Sec. 3. Election of county commissioners. Resolved: That the election of Cumberland County commissioners in the reapportioned districts approved pursuant to section 2 must take place on the first Tuesday after the first Monday in November 2008.

See title page for effective date.

CHAPTER 213

S.P. 727 - L.D. 1927

**Resolve, To Collect Information
about Employer-based Health
Coverage**

Sec. 1. Data collection. Resolved: That the Department of Labor shall conduct a one-time survey project to collect and analyze information from Maine employers with more than 250 employees for the purposes of determining:

1. The status, offering and use of employer-sponsored health coverage in the State;
2. What types of employer-sponsored health coverage are being offered and how the premiums are shared between employers and employees;
3. How health care needs are being met for employees and their families who are not enrolled in or do not have access to employer-sponsored coverage; and
4. How the State's data for subsections 1 to 3 compare with data available from other states.

The Department of Labor shall consult with employers and employer groups and persons knowledgeable about health care, health coverage, health policy and employee benefits in designing the survey. The department may not seek or accept outside funding for the costs of data collection and analysis.

The Department of Labor may expand the scope of the data collection to include a statistically valid sample of all employers in the State if departmental funds become available. The department may not accept funding from outside sources to implement the expanded data collection.

Subject to confidentiality and other requirements of state and federal law, the Department of Health and Human Services shall provide information from its databases to the Department of Labor to the extent necessary for the collection of relevant information for the survey. Information collected and generated for the survey by the Department of Labor that directly identifies employers is confidential and may not be disclosed by the Department of Labor.

An employer shall respond to a request made for the survey under this section from the Department of Labor within 45 days of receipt of the request.

By February 1, 2007, the Department of Labor shall submit a report of the data collected to the joint standing committee of the Legislature having jurisdiction over health and human services matters and the

joint standing committee of the Legislature having jurisdiction over insurance and financial affairs and the Board of Directors of Dirigo Health. The report must provide information in aggregate form and may not identify employers by name; and be it further

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

LABOR, DEPARTMENT OF

Employment Security Services NEW

Initiative: Provides funds to the Division of Labor Market Information Services for the data collection costs associated with the one-time survey of employer-sponsored health coverage.

GENERAL FUND	2005-06	2006-07
All Other	\$0	\$6,500
GENERAL FUND TOTAL	\$0	\$6,500

See title page for effective date.

CHAPTER 214

H.P. 1311 - L.D. 1871

**Resolve, Authorizing the
Commissioner of Administrative and
Financial Services To Purchase the
Department of Labor Building at 19
Union Street in Augusta and To
Determine the Feasibility of
Acquiring a Parcel of Land for Use
as a Parking Lot by the Maine
Criminal Justice Academy**

PART A

Sec. A-1. Authority to purchase property. Resolved: That the State, by and through the Commissioner of Administrative and Financial Services, may negotiate the terms and conditions considered appropriate to purchase the Department of Labor building at 19 Union Street in Augusta from the United States Department of Labor to extinguish the Federal Government's interest in the property; and be it further

Sec. A-2. Funding. Resolved: That no more than \$1,800,000 may be used from the Capital Construction and Improvements Reserve Fund established in the Maine Revised Statutes, Title 5, section 1516-A to purchase the building at 19 Union Street in Augusta, begin initial design and remove hazardous materials, if any, in preparation for renovation and improvements; and be it further

Sec. A-3. Repeal. Resolved: That this Part is repealed 5 years from the effective date of this Part.

PART B

Sec. B-1. Assessment by Commissioner of Administrative and Financial Services.

Resolved: That the Commissioner of Administrative and Financial Services shall determine the feasibility of acquiring a parcel of land adjacent to the Maine Criminal Justice Academy for use as a parking lot by the academy. The parcel of land is located in the proposed Realewood Estates North subdivision as described in a deed recorded at the Kennebec County Registry of Deeds in Book 6912, Page 94 and contains a well and water line easement benefiting the former Oak Grove School, currently known as the Maine Criminal Justice Academy. In determining the feasibility of purchasing the parcel, the commissioner shall consider the cost and environmental and visual impact of the location in comparison to other potential locations for the parking lot. The commissioner shall consult with the Department of Environmental Protection to determine the environmental impact. The commissioner shall also consult with the Commissioner of Public Safety prior to any determination. The commissioner shall complete the determination no later than January 1, 2007 and report the commissioner's recommendation to the Commissioner of Public Safety and the joint standing committee of the Legislature having jurisdiction over state and local government matters by January 15, 2007.

See title page for effective date.

CHAPTER 215

S.P. 776 - L.D. 2013

**Resolve, Regarding a Monument for
Women Veterans of Maine**

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

Whereas, it is appropriate and timely to honor women veterans of Maine and to enable the Commission to Arrange for a Monument Honoring Women Veterans of Maine to complete its work for this purpose; and

Whereas, the study must be initiated before the 90-day period expires in order that the study may be completed and the recommendations submitted in time to coordinate with the work of the Capitol Planning Commission on planning a monument park; 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