

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

FIRST REGULAR SESSION
December 6, 2006 to June 21, 2007

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 20, 2007

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Penmor Lithographers
Lewiston, Maine
2007

pics Maine may designate a bass fishing club or other entities to sponsor or host the event.

Sec. 2. Donate proceeds. An amount equal to 100% of the gross proceeds received from the entry fee charged for the tournament conducted under section 1 must be either donated to Special Olympics Maine or awarded to participants as prizes.

See title page for effective date.

CHAPTER 17
H.P. 965 - L.D. 1373

**An Act To Authorize the Board
of Trustees of the Maine State
Retirement System To Provide
a Cost-of-living Adjustment to
Retired Employees of
Participating Local Districts**

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

Whereas, annual increases in cost-of-living benefits for retirees of participating local districts in the Maine State Retirement System are limited to 4%; and

Whereas, the Consumer Price Index for the designated months was 4.30%; and

Whereas, an increase must be approved now in order to be effective retroactively to September 2006, when the 4% increase in the annual retirement allowance took effect; 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 enacted by the People of the State of Maine as follows:

Sec. 1. Annual retirement allowance. Notwithstanding the Maine Revised Statutes, Title 5, section 18407, subsection 4, paragraph A, the annual adjustment in the retirement allowances paid to retirees or the beneficiaries of retirees from participating local districts that participate in the Maine State Retirement System consolidated plan for participating local districts under Title 5, chapter 427 is increased to 4.30%. The Board of Trustees of the Maine State Retirement System is authorized to administer this additional payment consistent with its rules and procedures. This additional one-time .30% increase must be added to retirement allowances for the purposes of any cost-of-

living adjustments payable to retirees of participating local districts in the consolidated plan who were eligible for a cost-of-living adjustment in September 2006.

Sec. 2. Applicability to participating local districts not part of the consolidated plan. Participating local districts that do not participate in the Maine State Retirement System consolidated plan for participating local districts under the Maine Revised Statutes, Title 5, chapter 427 may provide for the increase described in section 1 in retirement allowances being paid to retirees or beneficiaries of retirees eligible for the cost-of-living adjustment in September 2006 by supplying the Board of Trustees of the Maine State Retirement System with a certified copy of its action and a statement of agreement of payment of the costs associated with the additional benefits.

Sec. 3. Retroactivity. This Act applies retroactively to September 1, 2006.

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

Effective June 4, 2007.

CHAPTER 18
S.P. 564 - L.D. 1620

**An Act To Provide for the 2007
and 2008 Allocations of the
State Ceiling on Private
Activity Bonds**

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 10, section 363 and Private and Special Law 2005, chapter 48 make a partial allocation of the state ceiling on private activity bonds to some issuers for calendar year 2007 but leave a portion of the state ceiling unallocated and do not provide sufficient allocations for certain types of private activity bonds that may require an allocation prior to the effective date of this Act if not enacted on an emergency basis; and

Whereas, if these bond issues must be delayed due to lack of available state ceiling, the rates and terms under which these bonds might be issued may be adversely affected, resulting in increased costs to beneficiaries or even unavailability of financing for certain projects; 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 preserva-

tion of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. Allocation to Treasurer of State. The \$5,000,000 in state ceiling for calendar year 2007 previously allocated to the Treasurer of State remains allocated to the Treasurer of State to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 5. Five million dollars of the state ceiling for calendar year 2008 is allocated to the Treasurer of State to be used or reallocated in accordance with Title 10, section 363, subsection 5.

Sec. 2. Allocation to Finance Authority of Maine. The state ceiling or private activity bonds allocated to the Finance Authority of Maine is as follows.

1. The \$40,000,000 in state ceiling for calendar year 2007 previously allocated to the Finance Authority of Maine remains allocated to the Finance Authority of Maine to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 6 for calendar year 2007. Five million dollars of previously unallocated state ceiling money for calendar year 2007 is allocated to the Finance Authority of Maine to be used or reallocated in accordance with Title 10, section 363, subsection 6 for calendar year 2007. Forty-five million dollars of the state ceiling for calendar year 2008 is allocated to the Finance Authority of Maine to be used or reallocated in accordance with Title 10, section 363, subsection 6.

2. The \$40,000,000 in state ceiling for calendar year 2007 previously allocated to the Finance Authority of Maine remains allocated to the Finance Authority of Maine, the entity designated pursuant to the Maine Revised Statutes, Title 20-A, section 11407, to be used or reallocated in accordance with Title 10, section 363, subsection 8-A. Fifty million dollars of the state ceiling for calendar year 2008 is allocated to the Finance Authority of Maine, the entity designated pursuant to Title 20-A, section 11407, to be used in accordance with Title 10, section 363, subsection 8-A.

Sec. 3. Allocation to Maine Municipal Bond Bank. The \$10,000,000 of the state ceiling for calendar year 2007 previously allocated to the Maine Municipal Bond Bank remains allocated to the Maine Municipal Bond Bank to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 7 for calendar year 2007. Ten million dollars of the state ceiling for calendar year 2008 is allocated to the Maine Municipal Bond Bank to be used or reallocated in accordance with Title 10, section 363, subsection 7.

Sec. 4. Allocation to Maine Educational Loan Authority. The \$10,000,000 of the state ceiling for calendar year 2007 previously allocated to

the Maine Educational Loan Authority remains allocated to the Maine Educational Loan Authority to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 8 for calendar year 2007. Ten million dollars of previously unallocated state ceiling for calendar year 2007 is allocated to the Maine Educational Loan Authority to be used in accordance with Title 10, section 363, subsection 8. Twenty million dollars of the state ceiling for calendar year 2008 is allocated to the Maine Educational Loan Authority to be used in accordance with Title 10, section 363, subsection 8.

Sec. 5. Allocation to Maine State Housing Authority. The \$40,000,000 of the state ceiling for calendar year 2007 previously allocated to the Maine State Housing Authority remains allocated to the Maine State Housing Authority to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 4 for calendar year 2007. Forty million dollars of the state ceiling for calendar year 2008 is allocated to the Maine State Housing Authority to be used or reallocated in accordance with Title 10, section 363, subsection 4 in calendar year 2008.

Sec. 6. Unallocated state ceiling. Of the state ceiling for calendar year 2007, \$96,235,000, is unallocated and must be reserved for future allocation in accordance with applicable laws. Of the state ceiling for calendar year 2008, \$86,235,000, is unallocated and must be reserved for future allocation in accordance with applicable laws.

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

Effective June 7, 2007.

CHAPTER 19

H.P. 499 - L.D. 650

An Act To Equalize MaineCare Reimbursements to Hospitals

Be it enacted by the People of the State of Maine as follows:

Sec. 1. MaineCare settlements to hospitals. Except as otherwise provided in this section, the Department of Health and Human Services shall, when carrying out final and interim settlements of payments to hospitals for services provided to MaineCare members, pay all final settlements for hospital fiscal years 2003 and earlier prior to paying interim settlements for services for hospital fiscal years 2005 and later. Nothing in this section limits the department's authority to: