

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

SECOND REGULAR SESSION
January 2, 2008 to March 31, 2008

FIRST SPECIAL SESSION
April 1, 2008 to April 18, 2008

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 2008

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
JULY 18, 2008

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

Penmor Lithographers
Lewiston, Maine
2008

of Health Policy and Finance; and representatives of employees, covered entities and other interested persons. The working group shall identify opportunities to provide prescription drugs through Section 340B of the federal Public Health Service Act, 42 United States Code, Section 256b (2006) to inmates and employees in youth correctional facilities, county jails and state prisons, where cost effective and practicable. The Department of Corrections shall report to the joint standing committees of the Legislature having jurisdiction over appropriations and financial affairs and health and human services matters as necessary to incorporate any recommendations into future contracts, but at minimum an interim report must be provided to both joint standing committees by January 15, 2009 and a final report must be provided to both committees by January 15, 2010.

The Department of Corrections shall promptly enter into negotiations with its current medical services and pharmacy contractor to recover a greater percentage of rebates, discounts and other financial considerations paid by prescription drug manufacturers and wholesalers to that contractor, and shall incorporate provisions into future contracts that comply with the provisions of the Maine Revised Statutes, Title 22, chapter 603, subchapter 4, including transparency, conflict of interest and rebate pass-through requirements.

Sec. 3. Covered entities. In developing and implementing the plans required in sections 1 and 2 of this Act, the Department of Health and Human Services and the Department of Corrections shall consider all health care providers and facilities in the State potentially eligible for designation as covered entities under Section 340B of the federal Public Health Service Act, 42 United States Code, Section 256b (2006), including without limitation all hospitals eligible as disproportionate share hospitals; recipients of grants from the United States Public Health Service; federally qualified health centers; federally qualified look-alikes; state-operated AIDS drug assistance programs; Ryan White CARE Act Title I, Title II and Title III programs; tuberculosis, black lung, family planning and sexually transmitted disease clinics; hemophilia treatment centers; public housing primary care clinics; and clinics for homeless people.

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

Effective April 16, 2008.

CHAPTER 44

H.P. 1683 - L.D. 2321

An Act To Validate Certain Proceedings Authorizing the Issuance of Bonds and Notes by Maine School Administrative District No. 29

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

Whereas, Maine School Administrative District No. 29 is made up of the towns of Hammond, Houlton, Littlefield and Monticello and is authorized pursuant to state law to operate and maintain schools within the district; and

Whereas, at the district referendum held November 6, 2007, the voters of the district voted to authorize the board of directors of the district to renovate Houlton High School at a cost not to exceed \$2,500,000, to construct a new performing arts center at the high school at a cost not to exceed \$5,000,000 and to accept and expend gifts for the performing arts center project as described in the warrants and ballots for the referendum; and

Whereas, an engineer has been retained to draft plans for the high school renovation project; and

Whereas, the warrant for the referendum in the Town of Hammond was not countersigned by the selectmen of that town as required by the Maine Revised Statutes, Title 20-A, section 1352, subsection 1, paragraph B; and

Whereas, the failure of the selectmen to countersign the warrant in the Town of Hammond has created a legal technicality that could affect the marketability of the bonds or notes to be issued by the district in connection with the 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 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. Validation and authorization. Notwithstanding any provision of the Maine Revised Statutes to the contrary, the Maine School Administrative District No. 29 referendum conducted on November 6, 2007 and the proceedings related to that referendum

are validated and made effective. Maine School Administrative District No. 29 is authorized to enter into contracts and to issue bonds or notes of the district for the renovation of Houlton High School in an amount not to exceed \$2,500,000, to construct a performing arts center at a cost not to exceed \$5,000,000 and to issue bonds or notes and accept and expend gifts for the performing arts center, as set forth in Question 1 of the warrant and ballots for the referendum, which provided for:

1. Performing arts gifts. The board of directors is not authorized to issue any bonds or notes for the performing arts project until donors have made cash gifts and written pledges for the performing arts project in the aggregate amount of \$2,500,000 or more; and
2. Performing arts borrowing. After the minimum amount of gifts for the performing arts project has been received as cash or in the form of written pledges, the board of directors may issue general obligation bonds or notes for the performing arts project, as long as the amount authorized is reduced by the total amount of cash gifts received prior to the commitment to issue those bonds or notes, and as long as all pledged gifts are used upon receipt to pay debt service on those bonds or notes.

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

Effective April 18, 2008.

CHAPTER 45

S.P. 930 - L.D. 2322

An Act To Amend the Charter of Northern Maine General

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

Sec. 1. P&SL 1907, c. 84, §3, as amended by P&SL 1951, c. 59, §2, is further amended to read:

Sec. 3. Board of trustees; tenure. ~~Said~~ The hospital ~~shall be~~ is under the direction and management of a board of 5 trustees, who ~~shall be~~ are chosen at the ~~1st~~ first meeting of the corporation, ~~+~~ one for the term of ~~+~~ one year, ~~+~~ one for the term of 2 years, ~~+~~ one for the term of 3 years, ~~+~~ one for the term of 4 years and ~~+~~ one for the term of 5 years; and at each subsequent annual meeting of the corporation ~~+~~ one trustee ~~shall be~~ is chosen for the full term of 5 years. ~~The Roman Catholic bishop of the diocese of Portland, Maine, for the time being shall be chosen one of said trustees at such 1st meeting, and he or his successor in such ecclesiastical office shall be chosen a trustee at~~

~~the expiration of the term for which he was originally chosen, for the full term of 5 years and so on at the expiration of each term of 5 years thereafter, and he or his successor shall be chosen president of said board and of said corporation or he or his successor shall be, ex officio, president of said board and of said corporation. The president of the corporation is elected by the board of trustees. Any vacancies in the board occurring between such the annual meetings shall must be filled temporarily by the board, and the trustees so chosen shall hold office until the next annual meeting or until others are chosen and qualified in their stead.~~

See title page for effective date.
