

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

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 Regulations Governing the Licensing and Functioning of Intermediate Care Facilities for Persons with Mental Retardation, 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 May 22, 2007.

CHAPTER 34

S.P. 499 - L.D. 1421

Resolve, Regarding Tobacco Cessation and Treatment

Sec. 1. Best practice and model treatment programs. Resolved: That the Department of Health and Human Services, through the Partnership for a Tobacco-Free Maine, Maine Center for Disease Control and Prevention and the Office of MaineCare Services, shall undertake a study of best practice treatment and clinical practice guidelines for tobacco cessation treatment. The study must use the most recent available clinical practice guidelines available from the United States Department of Health and Human Services Public Health Service and must include development of a model tobacco cessation treatment program for use in the public sector and private sector. The department shall report back to the Joint Standing Committee on Health and Human Services by January 15, 2008. The committee may submit legislation to the Second Regular Session of the 123rd Legislature related to best practice treatment and clinical practice guidelines for tobacco cessation treatment.

See title page for effective date.

CHAPTER 35
H.P. 729 - L.D. 969

Resolve, Regarding Legislative Review of Chapter 316, Long Term Contracting and Resource Adequacy, a Major Substantive Rule of the Public Utilities Commission

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 Chapter 316, Long Term Contracting and Resource Adequacy, a provisionally adopted major substantive rule of the Public Utilities Commission that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized; and be it further

Sec. 2. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

PUBLIC UTILITIES COMMISSION

Public Utilities - Administrative Division 0184

Initiative: Provides funds for one Utility Analyst position and general operating expenses required to carry out the purposes of this resolve.

| OTHER SPECIAL REVENUE FUNDS | 2007-08 | 2008-09 |
|-------------------------------|----------|-----------|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | \$73,487 | \$104,129 |
| All Other | \$80,639 | \$103,690 |