

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

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

Sec. 1. Working Waterfront Loan Fund. Resolved: That, notwithstanding Public Law 2001, chapter 83, Part A, section 6, the uses of Coastal Enterprises, Inc.'s working waterfront loan fund must be expanded beyond the uses identified in Public Law 2001, chapter 83, Part A, section 6. The Department of Transportation shall enter into an agreement with Coastal Enterprises, Inc. under which \$500,000 of the working waterfront loan fund is returned to the department for allocation to the Portland Fish Pier Authority for capital improvements and the remaining amount in the fund is made available to Coastal Enterprises, Inc. for use in fisheries and waterfront initiatives along the State's coast; and be it further

Sec. 2. Amend agreement. Resolved: That the Department of Transportation shall terminate its current agreement for the administration of Coastal Enterprises, Inc.'s working waterfront loan fund, as contained in the Letter of Agreement between the Department of Transportation and Coastal Enterprises, Inc., dated August 30, 2001 and amended on October 30, 2002, to carry out the intent of this legislation; and be it further

Sec. 3. Report. Resolved: That the Department of Transportation shall report back to the Joint Standing Committee on Transportation no later than November 15, 2007 on its efforts to carry out the intent of this legislation; and be it further

Sec. 4. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

**TRANSPORTATION, DEPARTMENT OF
Ports and Marine Transportation 0323**

Initiative: Allocates funds on a one-time basis to provide a grant to the Portland Fish Pier Authority for capital improvements.

MARINE PORTS FUND	2007-08	2008-09
All Other	\$500,000	\$0
	\$500,000	\$0
MARINE PORTS FUND	\$500,000	\$0
TOTAL		

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

Effective June 5, 2007.

**CHAPTER 57
H.P. 434 - L.D. 556**

**Resolve, To Achieve Cost
Savings of 7% in State
Government**

Sec. 1. State departments directed to conduct evaluation of operations for cost savings. Resolved:

That each state department shall evaluate its operations to determine if any of its programs or personnel could be reduced by 7%. When conducting this evaluation, each department shall consider reducing those programs or personnel, including those employees eligible for retirement, the reduction of which would have the least impact on the ability of the department to complete its mission. Each department shall report the results of its evaluation and any potential cost savings to the Commissioner of Administrative and Financial Services at a date to be determined by the commissioner that is consistent with the supplemental budget process.

See title page for effective date.

**CHAPTER 58
S.P. 241 - L.D. 792**

**Resolve, To Direct the
Department of Health and
Human Services To Review
and Report on Efforts
Concerning Postpartum
Mental Health Education**

Sec. 1. Work group. Resolved: That the Department of Health and Human Services shall convene, in coordination with the Maine Primary Care Association, a work group that will review existing efforts in Maine concerning education and screening for postpartum depression. In addition to the Department of Health and Human Services and the Maine Primary Care Association, the work group must include the Maine Medical Association; the Perinatal Mental Health Alliance of Southern Maine; Southern Maine Medical Center; Mid Coast Hospital; the Postpartum Support Center of Maine; Postpartum Support International, Maine Chapter; other related advocacy groups; and representatives of medical and mental health professionals and groups as well as hospitals with expertise in primary or family care, obstetrics, gynecology, pediatrics, postpartum depression and other interested parties; and be it further

Sec. 2. Charge of work group. Resolved: That the work group under section 1 shall review efforts for screening and education related to postpartum depression, including but not limited to:

1. Projects initiated by health care providers aimed at the early screening and treatment of depression, including but not limited to the projects of Maine Medical Center's outpatient clinics and health care system; St. Mary's Regional Medical Center; MaineGeneral Health; the Federally Qualified Health Centers, as determined by the Department of Health and Human Services, Division of Licensing and Regulatory Services; the Maine Health Access Foundation; the Department of Health and Human Services, Maine Center for Disease Control and Prevention, MaineCare and adult and children's mental health offices; and health care providers in obstetrics and gynecology practices and pediatrics;

2. The Maine Health Access Foundation's study on barriers to integration of mental health care into health care settings, including regulatory, licensing and reimbursement barriers to the provision of screening and treatment of postpartum depression and other mental health disorders;

3. Ongoing efforts for screening within the Department of Health and Human Services, Maine Center for Disease Control and Prevention's Behavioral Risk Factor Surveillance System and Pregnancy Risk Assessment Monitoring System, the federal Special Supplemental Nutrition Program for Women, Infants and Children and the department's home visiting program and the department's public health and mental health work group's assessment of screening tools for mental health and recommendations for tracking, education and treatment; and

4. Projects implemented in New York, Illinois, New Jersey, New Hampshire and other states, with a description of programs, tools, implementation strategies, results and funding sources; and be it further

Sec. 3. Report. Resolved: That the work group under section 1 shall provide a report to the Joint Standing Committee on Health and Human Services with findings and recommendations, including any necessary legislation, for changes in regulations, standards and policies no later than January 15, 2008. The joint standing committee is authorized to submit legislation related to the subject matter of the report to the Second Regular Session of the 123rd Legislature.

See title page for effective date.

CHAPTER 59

S.P. 447 - L.D. 1284

**Resolve, Regarding the
Organization and
Administration of Energy
Policy Responsibilities within
State Government**

Sec. 1. State energy policy office; review and recommendations. Resolved: That the Executive Department, Office of Energy Independence and Security, in consultation with the Energy Resources Council and the State Planning Office, shall conduct a review of the current policy-making and administrative structures and functions within State Government relating to energy policy and, on the basis of this review, develop recommendations regarding the organization of these structures and functions within a clearly defined statutory framework that provides for well-coordinated and efficient formulation, management and administration of state energy policy. The review must include, but is not limited to, a comprehensive examination of the various energy-related powers, duties, responsibilities and programs that currently exist in various departments and offices of State Government and their associated budgets and staffing requirements. The recommendations must address the statutory establishment of an office or other entity within State Government dedicated to the development and implementation of energy policy and the administrative and fiscal implications of and justification for various options for such an office or entity; and be it further

Sec. 2. Energy independence policy initiatives. Resolved: That the Executive Department, Office of Energy Independence and Security shall, as part of the review and recommendations required under section 1, consider how the State may advance the development of new energy independence policy initiatives to support biofuels, renewable energy, cogeneration and green communities that reduce reliance on fossil fuels and increase reliance on renewable energy; and be it further

Sec. 3. Report; legislation. Resolved: That, by January 1, 2008, the Executive Department, Office of Energy Independence and Security shall submit a report regarding the review required by section 1, including its findings and recommendations, to the Joint Standing Committee on Utilities and Energy. The report must include draft legislation to implement the recommendations. After its review of the report, the joint standing committee may submit legislation to the Second Regular Session of the 123rd Legislature relating to the subject matter of this resolve.

See title page for effective date.

CHAPTER 60

S.P. 456 - L.D. 1308

**Resolve, Regarding the Use of
Restraints in Nursing Facilities**

Sec. 1. Preadmission information. Resolved: That the Department of Health and Human