

# 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.**

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2007**

the State, and identify strategies to decrease the extent of evasion. The study group shall report its findings and any recommendations to the Joint Standing Committee on Taxation by January 15, 2008. The committee may submit legislation to the Second Regular Session of the 123rd Legislature relating to the report.

See title page for effective date.

**CHAPTER 114**

**H.P. 1264 - L.D. 1812**

**Resolve, Regarding the Role of  
Local Regions in Maine's  
Emerging Public Health  
Infrastructure**

**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 Public Health Work Group was established by the Governor's Office on Health Policy and Finance pursuant to recommendations contained in the 2006 State Health Plan for Maine; and

**Whereas**, the Public Health Work Group has issued consensus recommendations for the establishment of a regional public health infrastructure, including regional coordinating councils in 8 public health regions, both urban and rural, that will improve the public's health, and calls for certain other functions to be carried out at the local, regional and state levels through a partnership of government and nongovernmental entities; and

**Whereas**, the mechanisms for governance and many matters related to the functioning of the local and regional public health structures have not yet been defined; and

**Whereas**, an effective regional public health system must incorporate meaningful roles for both the public and private sectors, including, but not limited to, county and municipal governments, hospitals, other providers of medical care and behavioral health services and schools, and ensure that those roles are coordinated, complementary and responsive to local needs and are linked appropriately to state agencies; and

**Whereas**, considerable progress on study and planning related to the establishment of the regional coordinating councils has been made in some counties of the newly designated regions, notably Cumberland, Sagadahoc and Penobscot counties, and this expertise will help guide and inform the Public Health Work Group as it further develops guidance for the establishment, authority and governance of the regional coordinating councils; 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. Public Health Work Group membership expanded. Resolved:** That the Governor shall expand the membership of the Public Health Work Group established under the State Health Plan pursuant to the Maine Revised Statutes, Title 2, chapter 5 to include a statewide family planning organization, aging agencies, emergency medical services, county commissioners, municipal elected officials, municipal health departments, local health officers, small and large hospitals, community health centers, public health organizations and associations, health care providers, behavioral health provider organizations, substance abuse prevention organizations, substance abuse treatment providers, emergency management officials, community social services agencies, statewide voluntary health agencies, comprehensive community health coalitions, education and training institutions, environmental health organizations, school administrative units, tribal representatives, the Department of Health and Human Services' Maine Center for Disease Control and Prevention and Office of Substance Abuse, the Department of Education and the Governor's Office of Health Policy and Finance. There must be representatives from all 8 public health regions. The Public Health Work Group may not have more than 40 members. The Public Health Work Group shall notify members of the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on State and Local Government of the dates and locations of meetings related to this resolve; and be it further

**Sec. 2. Report. Resolved:** That the Public Health Work Group shall report to the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on State and Local Government by December 1, 2007. The report must include:

1. A description of current plans for the development of a statewide public health services infrastructure, including the regional coordinating councils;
2. Recommendations for a statewide public health infrastructure to be developed within existing resources over the next 5 years with the goals of ensuring access to public health services and of improving effectiveness and efficiencies of public health services delivery;
3. Recommendations for any necessary changes to public health duties, financing and governance and the roles of public, private, grassroots and nonprofit organizations as well as the scope of functions they perform in the public health system; and

4. Draft legislation, as necessary, to carry out the Public Health Work Group's recommendations.

The Public Health Work Group may form subcommittees as necessary to achieve these purposes. The joint standing committee is authorized to submit legislation to carry out the recommendations of the Public Health Work Group related to this resolve.

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

Effective June 21, 2007.

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**CHAPTER 115**

**H.P. 1275 - L.D. 1827**

**Resolve, Directing the Department of Professional and Financial Regulation To Conduct a Sunrise Review Regarding the Practice of Licensed Midwifery**

**Sec. 1. Sunrise review of the practice of licensed midwifery. Resolved:** That the Commissioner of Professional and Financial Regulation shall conduct an independent assessment of the proposal to license certified professional midwives pursuant to the Maine Revised Statutes, Title 5, section 12015, subsection 3, paragraph B; and be it further

**Sec. 2. Reporting date established. Resolved:** That no later than February 15, 2008, the Commissioner of Professional and Financial Regulation shall submit a report following the review under section 1 to the Joint Standing Committee on Business, Research and Economic Development. The committee is authorized to submit legislation on the subject matter of the report to the Second Regular Session of the 123rd Legislature.

See title page for effective date.

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**CHAPTER 116**

**H.P. 192 - L.D. 221**

**Resolve, Requiring the Maine Community College System To Return Real Property and Buildings to the City of Eastport**

**Sec. 1. Property interests to be conveyed. Resolved:** That the Maine Community College System shall transfer, as is, to the City of Eastport, with no representations or warranties, by release, quitclaim

deed without covenant 3 parcels of land, together with the buildings located on the parcels of land, described in Governor's Deed to Maine Technical College System dated November 19, 2002 and recorded in Book 2693, Page 074 of the Washington County Registry of Deeds as "EASTPORT Parcel One, Parcel Two and Parcel Three" at Pages 076 to 079, together with any and all interests in and easements and restrictions currently on the parcels of land, if any, except that the Maine Community College System shall reserve easements that permit Washington County Community College to access and use without charge until September 1, 2008 all land and buildings currently used by the college to deliver marine trades education and in perpetuity the contiguous waterfront, ramps, piers, docks and floats, together with all related rights of automobile parking and college boat docking, hauling and storage. The City of Eastport may not transfer ownership of the property conveyed to it pursuant to this resolve without the consent of the Legislature.

See title page for effective date.

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**CHAPTER 117**

**H.P. 1343 - L.D. 1911**

**Resolve, To Authorize the State To Sell a Certain Property with Buildings Located within the City of Old Town**

**Sec. 1. Selling of property with buildings authorized. Resolved:** That the Executive Department, State Planning Office is permitted to sell approximately 5 acres of land, with buildings, acquired by the State during the purchase of the West Old Town Landfill, to United Cerebral Palsy of Northeastern Maine for a nominal amount under such terms and conditions as are necessary or appropriate to effect this action.

See title page for effective date.

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**CHAPTER 118**

**H.P. 686 - L.D. 911**

**Resolve, To Promote Health Care Insurance for Volunteer Public Safety Personnel through the Dirigo Health Program**

**Sec. 1. Promotion of Dirigo Health Program for volunteer public safety personnel. Resolved:** That the Executive Director of Dirigo Health shall conduct an education and outreach initiative to promote awareness of the Dirigo Health Pro-