

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

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.

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.

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.

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.

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-

gram among volunteer public safety personnel. At a minimum, the Executive Director of Dirigo Health shall contact the Maine State Federation of Firefighters, the Maine Municipal Association and each municipality in the State that is served by volunteer public safety personnel and provide information regarding the eligibility of volunteer public safety personnel for health insurance coverage through the Dirigo Health Program as individuals and the availability of subsidies for qualified individuals based on income.

See title page for effective date.

CHAPTER 119

S.P. 355 - L.D. 1103

Resolve, To Determine the Impact of Funding for State Higher Education on the Distribution of Higher Education Costs among Families, Taxpayers and Publicly Supported Institutions of Higher Education

Sec. 1. Review of funding for state higher education. Resolved: That the University of Maine System, the Maine Community College System, Maine Maritime Academy and the Finance Authority of Maine, referred to in this resolve as "the review panel," shall collaboratively conduct a review of the impact of funding for publicly supported higher education in the State during the period from fiscal year 2002-03 to fiscal year 2006-07 on the following policy questions.

1. How have Maine finance policies related to the distribution of public subsidies influenced the distribution of student-related higher education costs among parents and students, state taxpayers, federal taxpayers and publicly supported institutions of higher education in the State?

2. As perceived by the review panel, what conclusions and implications can be drawn from the data concerning the degree to which state finance policies related to the distribution of public subsidies have sustained access, advanced equity of higher education opportunity and promoted equitable cost-sharing for all Mainers?

The review panel shall determine the methodology for this review in accordance with section 2; and be it further

Sec. 2. Scope of review; methodology. Resolved: That the review panel shall determine the methodology for this review after consideration of the research literature on higher education finance pertaining to the implications of state appropriations for

the operating costs of publicly supported institutions of higher education and pertaining to the distribution of the costs and benefits of higher education for students and their families, state taxpayers, federal taxpayers and the publicly supported institutions of higher education. The data compiled and analyzed must include, but is not limited to, the following:

1. The amounts and levels of state general funds appropriated during each year from fiscal year 2002-03 to fiscal year 2006-07 to support the so-called "educational and general" operational expenditures of the University of Maine System, the Maine Community College System and Maine Maritime Academy;

2. The amounts and levels of state general funds appropriated during each year from fiscal year 2002-03 to fiscal year 2006-07 to the Finance Authority of Maine for awarding need-based grants through the Maine State Grant Program in order to subsidize tuition prices and provide need-based tuition assistance for eligible students to attend publicly supported institutions of higher education in the State;

3. The amounts and levels of state tax support for higher education, including state General Fund appropriations for universities, colleges, community colleges and state higher education agencies compiled by the Grapevine project at the Center for the Study of Education Policy at Illinois State University. The review team shall consider the Grapevine project data reported for the level of state appropriations for higher education as a percentage of the total state appropriations, on a per capita basis, and as a percentage of income. The review team shall also compare these state appropriation trends for Maine, for the New England states and for an appropriate set of comparison states whose demographic profile and higher education systems are reasonably comparable to the system of higher education in Maine;

4. The proportion of state General Fund appropriations as a source of revenue as compared to the total revenues of the University of Maine System, the Maine Community College System and Maine Maritime Academy;

5. The proportion of revenues received from sources other than state General Fund appropriations, including revenues from tuition, mandatory fees and room and board, revenues from the Federal Government and from other philanthropic organizations or individuals, as compared to the total revenues of the University of Maine System, Maine Community College System and Maine Maritime Academy;

6. The amounts and levels of education subsidies, including state and federal student financial assistance, provided to resident students attending the University of Maine System, the Maine Community College System and Maine Maritime Academy as compiled from institutional expenditure data and reported annu-