

# 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.**

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2008**

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

Effective April 16, 2008.

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**CHAPTER 208**  
**H.P. 1677 - L.D. 2318**

**Resolve, To Appoint Members  
to and Establish Terms for the  
Workers' Compensation Board**

**Sec. 1. Workers' Compensation Board.**

**Resolved:** That, notwithstanding the Maine Revised Statutes, Title 39-A, section 151 and Public Law 2003, chapter 608, section 14, the membership and terms of the Workers' Compensation Board are governed by this section.

**1. Recommendations; nomination.** No later than July 20, 2008, the employer and labor organizations designated in Title 39-A, section 151, subsection 1 shall each submit to the Governor 3 lists of no fewer than 4 names of proposed board members to the Workers' Compensation Board. From the lists submitted pursuant to this subsection, the Governor shall, by February 1, 2009, nominate 3 management representatives and 3 labor representatives to serve on the Workers' Compensation Board.

**2. Resignation of incumbent board members.** In order to ensure an orderly transition, the members of the Workers' Compensation Board representing management and labor that are serving on the effective date of this resolve shall resign their positions on the board effective no later March 1, 2009.

**3. Eligibility of incumbents for appointment.** Members of the Workers' Compensation Board representing management and labor serving on the effective date of this resolve are eligible for appointment under this section in accordance with this subsection.

A. A board member may not be appointed for a term under this resolve that, if completed, would result in that board member's serving more than 8 consecutive years on the Workers' Compensation Board, except that in the interest of ensuring continuity on the board, 2 board members, one of whom represents management and one of whom represents labor, who have served on the board since 2002 and who are serving on the effective date of this resolve may be appointed to fill 2-year terms.

**4. Terms.** Of the 6 board members appointed pursuant to this resolve, the Governor shall designate one labor appointment and one management appointment for a 2-year term, one labor appointment and one management appointment for a 3-year term and one

labor appointment and one management appointment for a 4-year term.

See title page for effective date.

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**CHAPTER 209**  
**H.P. 1436 - L.D. 2052**

**Resolve, To Create the Blue  
Ribbon Commission To Study  
the Future of Home-based and  
Community-based Care**

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

**Whereas,** work to study the unmet needs and financing options of long-term home-based and community-based care must begin before the end of the legislative session because the State has an increasingly elderly population and there is a shortage of long-term home-based and community-based care workers; 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. Blue Ribbon Commission established. Resolved:** That the Blue Ribbon Commission To Study Long-term Home-based and Community-based Care, referred to in this resolve as "the commission," is established; and be it further

**Sec. 2. Commission membership. Resolved:** That the commission consists of 11 members:

1. Five members appointed by the President of the Senate as follows:

A. Two members of the Senate, including one member of the party holding the highest number of seats and one member of the party holding the 2nd highest number of seats; and

B. Three members who are experts in the field of long-term home-based and community-based care financing and service; and

2. Five members appointed by the Speaker of the House as follows:

A. Four members of the House of Representatives, including 2 members of the party holding the highest number of seats and 2 members of the party holding the 2nd highest number of seats; and