

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2008 to June 13, 2009

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FIRST REGULAR SESSION
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IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2009

sociation and 3rd-party administrators have met their obligations under this Act and to identify the disputes that arose, the reasons for the disputes, the method and manner of their resolution, the costs incurred, the reasons for attorney involvement and the services rendered by the attorneys.

If as a result of an examination and after providing the opportunity for a hearing the board determines that any compensation, interest, penalty or other obligation is due and unpaid to an employee, dependent ~~or~~, service provider or any other entity, the board shall issue a notice of assessment detailing the amounts due and unpaid in each case and shall order the amounts paid to the unpaid party or parties.

Sec. 12. 39-A MRSA §360, sub-§6 is enacted to read:

6. Maine Insurance Guaranty Association. The provisions of this section apply to the Maine Insurance Guaranty Association under Title 24-A, chapter 57, subchapter 3.

Sec. 13. Application. This Act applies only to acts or omissions occurring on or after the effective date of this Act.

See title page for effective date.

CHAPTER 130

H.P. 669 - L.D. 967

An Act To Implement the Recommendations of the Governor's Interagency Transportation Coordinating Committee

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 23 MRSA §4209, sub-§1, as corrected by RR 2003, c. 2, §83, is amended to read:

1. Geographic regions. The Department of Transportation shall divide the State into a number of geographic regions for regional distribution of state-administered transportation funds. Upon designation of the geographic regions, a regional public transportation agency must be selected from each region to formulate a biennial regional operations plan. Selection of regional public transportation agencies must be by the Department of Transportation ~~with the consent of the Department of Health and Human Services~~ in collaboration with the committee established in subsection 1-A. The Department of Transportation shall establish a schedule for submittal of the biennial regional operations plan and shall reference these plans in its biennial transportation improvement plan submitted to the Legislature.

Sec. 2. 23 MRSA §4209, sub-§1-A is enacted to read:

1-A. Interagency Transportation Coordinating Committee. The Interagency Transportation Coordinating Committee, referred to in this section as "the committee," is established to promote efficiency, cooperative effort and strategic planning for public transportation between the Department of Transportation, the Department of Labor and the Department of Health and Human Services.

A. The committee consists of the Commissioner of Transportation, the Commissioner of Labor and the Commissioner of Health and Human Services or the designees of the commissioners.

B. The committee shall meet at least twice each year.

C. The Commissioner of Transportation shall designate the chair of the committee.

D. The committee shall designate a catchment area for MaineCare transportation providers.

E. The committee shall submit a report on its deliberations and any recommendations by February 15th each year to the Governor and the joint standing committee of the Legislature having jurisdiction over public transportation matters.

Sec. 3. 23 MRSA §4209, sub-§2, as corrected by RR 2003, c. 2, §83, is amended to read:

2. Biennial regional operations plan. The biennial regional operations plan submitted by each regional public transportation agency must provide for the following:

A. Maximum feasible coordination of funds among all state agencies that sponsor transportation in the region;

B. Development and maintenance of a permanent and effective public transportation system, with particular regard to riders who are low-income; or elderly and ~~handicapped~~ residents or who have disabilities;

C. Participation of private transit operators in the service, to the greatest extent possible; ~~and~~

D. Conformity with general operations requirements as may be prescribed by the commissioner; and

E. Compliance with any appropriate federal regulations, including but not limited to the federally required locally coordinated plan.

In years in which no biennial plan is required, amendments to the effective operations may be submitted. Approval of each regional operations plan must be by the Department of Transportation ~~with the consent of the Department of Health and Human Services~~ in col-

laboration with the committee. Upon approval, all agencies, groups or organizations named to participate in the provision of service in accordance with a regional operations plan are eligible to receive funds administered by the Department of Transportation and the Department of Health and Human Services.

Sec. 4. 23 MRSA §4209, sub-§4, as corrected by RR 2003, c. 2, §84, is amended to read:

4. Human services assistance; priorities. ~~A liaison appointed by the Department of Health and Human Services~~ The committee shall act to coordinate purchase of service contracts and serve in an advisory capacity to the department in matters concerning public transportation. In the event that transportation funds for human ~~services'~~ services programs are insufficient for full implementation of the human ~~services'~~ services portion of an approved biennial regional operations plan, priorities established by the Department of Health and Human Services determine the priority clients that must be initially served by human ~~services'~~ services funds. ~~The Department of Health and Human Services and its agents~~ Members of the committee and their contractors shall actively engage local transportation providers in the planning of new services that are expected to have a transportation component.

The Department of Health and Human Services and the Department of Labor shall ensure that any new service to be provided is adequately funded to cover the costs of the transportation component of the program.

See title page for effective date.

CHAPTER 131

H.P. 973 - L.D. 1394

An Act To Modify the Regional Economic Development Revolving Loan Program

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 10 MRSA §1026-A, sub-§5, as enacted by PL 2003, c. 537, §30 and affected by §53, is amended to read:

5. Limitations on loan insurance. The authority may establish a maximum insurance liability for particular sectors and for existing loans by rule. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. 10 MRSA §1026-M, sub-§3, as amended by PL 2001, c. 639, §1, is further amended to read:

3. Disbursements from fund. If an application is approved, the authority shall determine the amount to be disbursed to the corporation, taking into account:

- A. The size of the region served by the corporation and the expected demand for loan funds in that region;
- B. The demand for funds from other eligible corporations in relation to the total amount available in the fund; and
- C. Whether an eligible corporation will serve a geographic area or segment of potential business borrowers not served by other applicants.

A corporation may not receive more than ~~\$2,500,000~~ \$3,500,000 from the fund. Funds must be disbursed directly to and retained by the eligible corporation in accordance with the contract between the corporation and the authority. Funds must be disbursed to the corporation in the form of a loan or a grant. The authority may, in its discretion, disburse fund amounts in one lump sum or periodic disbursements.

Sec. 3. 10 MRSA §1026-M, sub-§4, ¶B, as enacted by PL 1993, c. 722, Pt. C, §1 and affected by §2, is amended to read:

- B. The corporation shall review applications for financial assistance, determine the feasibility of the application and approve or deny the application, which determination is final in the case of loans under ~~\$100,000~~ \$150,000 or in the case of denials of any amount;

Sec. 4. 10 MRSA §1026-M, sub-§6, ¶A, as amended by PL 1999, c. 401, Pt. OOO, §2, is further amended to read:

- A. Loans may not exceed ~~\$200,000~~ \$250,000 to a borrower, including an affiliated entity, and approval of the authority is required for any loan in excess of ~~\$100,000~~ \$150,000. Loans for quality child care projects may not exceed \$100,000 to a borrower. Loans or portions of loans to a quality child care project to be used solely for lead abatement may not exceed ~~\$5,000~~ \$15,000.

Sec. 5. 10 MRSA §1026-M, sub-§6, ¶B, as amended by PL 2003, c. 195, §1, is further amended to read:

- B. Loans over ~~\$50,000~~ \$100,000 for borrowers other than quality child care projects may not exceed 1/3 of the net new funds being provided to a borrower. Loans of \$50,000 ~~or less~~ to \$100,000 for projects other than quality child care projects may not exceed 1/2 of the net new funds being provided to a borrower. Loans of less than \$50,000 and loans for quality child care projects may be for the total amount of new funds being provided to the borrower.