

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

SECOND REGULAR SESSION
January 6, 2010 to April 12, 2010

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 12, 2010

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2010

Town of Stratton to identify that portion the Caleb Dalton Stevens Memorial Highway.

See title page for effective date.

CHAPTER 146

H.P. 438 - L.D. 624

Resolve, To Study Expenditures for Oral Health Care in the MaineCare Program

Sec. 1. Study. Resolved: That the Department of Health and Human Services shall convene a working group to perform a study of oral health care in the MaineCare program. The study must be chaired by the director of the division of health care management in the Office of MaineCare Services and must include representatives of the MaineCare Dental Advisory Committee, the Maine Dental Access Coalition, the Maine Center for Disease Control and Prevention and MaineCare members. The working group shall review MaineCare dental coverage, reimbursement and utilization and shall identify ways to reduce or redirect expenditures with the goal of providing more cost-effective, high-quality care for MaineCare members. The working group shall review alternative payment methodologies, the use of emergency rooms and urgent care settings for the treatment of dental disease, the use of preventive and specialty services, such as orthodontics and endodontics, and inpatient hospitalization. The working group shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters during the First Regular Session of the 125th Legislature. After reviewing the report, the joint standing committee of the Legislature having jurisdiction over health and human services matters may report out a bill related to the subject of the report to the First Regular Session of the 125th Legislature.

See title page for effective date.

CHAPTER 147

H.P. 1074 - L.D. 1524

Resolve, Directing the Department of Labor To Research and Analyze the Methods Other States Utilize To Assess Benefit Charges When a Worker Becomes Unemployed and Receives Benefits

Sec. 1. Examine methods used to assess benefit charges. Resolved: That the Commissioner of Labor or the commissioner's designee shall examine the methods employed by other states to assess benefit charges when a worker who has multiple employers becomes unemployed and receives unemployment benefits. The Commissioner of Labor or the commissioner's designee shall also analyze the findings to determine how to best protect employers in the State from inequitable assessments and how to best use technology to implement the findings; and be it further

Sec. 2. Reporting date established. Resolved: That the Commissioner of Labor or the commissioner's designee shall report the findings under section 1 and recommendations to the joint standing committee of the Legislature having jurisdiction over labor matters by January 15, 2011, including suggested legislation necessary to implement the findings; and be it further

Sec. 3. Authority to introduce legislation. Resolved: That the joint standing committee of the Legislature having jurisdiction over labor matters may submit a bill to the First Regular Session of the 125th Legislature to implement findings relating to the report under section 2.

See title page for effective date.

CHAPTER 148

H.P. 1077 - L.D. 1527

Resolve, Regarding Legislative Review of Portions of Chapter 692: Siting of Oil Storage Facilities, a Major Substantive Rule of the Department of Environmental Protection

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 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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. Adoption. Resolved: That final adoption of portions of Chapter 692: Siting of Oil Storage Facilities, a provisionally adopted major substantive rule of the Department of Environmental Protection that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective February 18, 2010.

CHAPTER 149

H.P. 1076 - L.D. 1526

Resolve, Regarding Legislative Review of Portions of Chapter 700: Wellhead Protection: Siting of Facilities That Pose a Significant Threat to Drinking Water, a Major Substantive Rule of the Department of Environmental Protection

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 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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. Adoption. Resolved: That final adoption of portions of Chapter 700: Wellhead Protection: Siting of Facilities That Pose a Significant Threat to Drinking Water, a provisionally adopted major substantive rule of the Department of Environ-

mental Protection that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective February 18, 2010.

CHAPTER 150

S.P. 591 - L.D. 1533

Resolve, Authorizing the State Tax Assessor To Convey the Interest of the State in Certain Real Estate in the Unorganized Territory

Sec. 1. State Tax Assessor authorized to convey real estate. Resolved: That the State Tax Assessor is authorized to convey by sale the interest of the State in real estate in the Unorganized Territory as indicated in this resolve. Except as otherwise directed in this resolve, the sale must be made to the highest bidder subject to the following provisions.

1. Notice of the sale must be published 3 times prior to the sale, once each week for 3 consecutive weeks, in a newspaper in the county where the real estate lies, except in those cases in which the sale is to be made to a specific individual or individuals as authorized in this resolve, in which case notice need not be published.

2. A parcel may not be sold for less than the amount authorized in this resolve. If identical high bids are received, the bid postmarked with the earliest date is considered the highest bid.

If bids in the minimum amount recommended in this resolve are not received after the notice, the State Tax Assessor may sell the property for not less than the minimum amount without again asking for bids if the property is sold on or before April 1, 2011.

Employees of the Department of Administrative and Financial Services, Bureau of Revenue Services and spouses, siblings, parents and children of employees of the Bureau of Revenue Services are barred from acquiring from the State any of the real property subject to this resolve.

Upon receipt of payment as specified in this resolve, the State Tax Assessor shall record the deed in the appropriate registry at no additional charge to the purchaser before sending the deed to the purchaser.

Abbreviations and plan and lot references are identified in the 2007 State Valuation. Parcel descriptions are as follows: