

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 2010 to June 29, 2011

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 28, 2011

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

Augusta, Maine
2011

tion of the public peace, health and safety; now, therefore, be it

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 101, MaineCare Benefits Manual Chapter III, Section 21: Allowances for Home and Community Benefits for Members with Intellectual Disabilities or Autistic Disorder, a provisionally adopted major substantive rule of the Department of Health and Human Services 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 June 14, 2011.

CHAPTER 79

H.P. 1128 - L.D. 1536

Resolve, Directing the Commissioner of Professional and Financial Regulation To Conduct Meetings To Review the Issue of Compliance with the Laws Governing Guaranteed Price Home Heating Oil, Kerosene and Liquefied Petroleum Gas Contracts

Sec. 1. Commissioner of Professional and Financial Regulation to review options for reporting compliance with the laws governing guaranteed price home heating oil, kerosene and liquefied petroleum gas contracts. Resolved: That the Commissioner of Professional and Financial Regulation shall convene a working group with interested parties to determine what information could be included in a report from dealers of home heating oil, kerosene and liquefied petroleum gas to the State that would demonstrate their compliance with the current law that requires dealers to secure their prepaid guaranteed price home heating oil, kerosene and liquefied petroleum gas contracts, pursuant to the Maine Revised Statutes, Title 10, section 1110, and to develop recommendations to improve the State's ability to ensure compliance with that law and with new reporting requirements that do not place any undue burden on the businesses involved; and be it further

Sec. 2. Reporting date established. Resolved: That, no later than January 15, 2012, the Commissioner of Professional and Financial Regulation shall submit a report of the findings and recom-

mendations of the working group convened under section 1 to the Joint Standing Committee on Labor, Commerce, Research and Economic Development. That committee is authorized to introduce a bill on the subject matter of the report to the Second Regular Session of the 125th Legislature.

See title page for effective date.

CHAPTER 80

S.P. 373 - L.D. 1252

Resolve, To Develop a Plan To Improve Public Guardianship Services to Adults with Cognitive Disabilities

Sec. 1. Stakeholder group for a working plan created. Resolved: That the Maine Developmental Disabilities Council, as established in the Maine Revised Statutes, Title 34-B, section 17001, referred to in this resolve as "the council," shall convene a stakeholder group to develop a working plan for a program for the transition, beginning July 1, 2012, of public guardianship responsibilities for adults with cognitive disabilities from the Department of Health and Human Services to an entity independent of that agency for a transition to begin by July 1, 2012. The council shall invite at least one representative from each of the following organizations:

1. The Disability Rights Center;
2. Speaking Up for Us of Maine, a self-advocacy organization;
3. The Department of Health and Human Services, Office of Advocacy, established in Title 34-B, section 5005;
4. The Department of Health and Human Services, Office of Adults with Cognitive and Physical Disability Services;
5. The Office of the Attorney General;
6. The Maine Developmental Services Oversight and Advisory Board, established in Title 34-B, section 1223;
7. The Maine Association for Community Service Providers; and
8. The Maine Probate Judges Assembly; and be it further

Sec. 2. Duties. Resolved: That the stakeholder group shall investigate and develop a plan for the Department of Health and Human Services to separate the service coordination for individuals with cognitive disabilities function from the public guardianship function for individuals who are wards of the State and shall include in its findings: