

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE

SECOND REGULAR SESSION
January 6, 2016 to April 29, 2016

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 29, 2016

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

Augusta, Maine
2016

of Representatives is the House chair of the commission; and be it further

Sec. 4. Appointments; convening of commission. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. When the appointment of all members has been completed, the chairs of the commission shall call and convene the first meeting of the commission. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business; and be it further

Sec. 5. Duties. Resolved: That the commission shall:

1. Review and evaluate the economic, environmental and energy benefits of Maine's biomass resources, as well as public policy and economic proposals to create and maintain a sustainable future for the Maine biomass industry;

2. Consider the interconnection of economic markets for biomass and forest products and the energy policy of the State;

3. Consider whether the environmental, economic and energy benefits of biomass support updating the State's energy policy to strengthen and increase the role that biomass and the forest products industry play throughout the State;

4. Consider the costs of implementing any recommendations and the effect of leaving current policies in place; and

5. Examine any other issues to further the purposes of the study.

In conducting the duties under this section, the commission shall seek public input and shall consult and collaborate with stakeholders and experts in the fields of economic development, natural resources and energy policy; and be it further

Sec. 6. Meetings. Resolved: That the commission shall hold at least 4 meetings; and be it further

Sec. 7. Staff assistance. Resolved: That the Legislative Council shall provide staffing services to the commission. The commission may invite the Department of Economic and Community Development, the Public Utilities Commission, the Office of the Public Advocate, the Governor's Energy Office, the Efficiency Maine Trust, the Department of Agriculture, Conservation and Forestry and other appropriate agencies of State Government to provide additional staff support or assistance to the commission; and be it further

Sec. 8. Report. Resolved: That the commission shall submit a report and any suggested implementing legislation for presentation to the Joint Standing Committee on Energy, Utilities and Technology and the Joint Standing Committee on Agriculture, Conservation and Forestry no later than December 6, 2016.

See title page for effective date.

CHAPTER 86

S.P. 566 - L.D. 1468

Resolve, To Improve the Safety of Ferries in the State

Sec. 1. Peer review assessment; operations and safety. Resolved: That the Department of Transportation shall execute a peer review assessment of Maine State Ferry Service processes to evaluate safety procedures and marine operations of the Maine State Ferry Service. For purposes of this resolve, "Maine State Ferry Service" has the same meaning as in the Maine Revised Statutes, Title 23, section 4401. The peer review assessment must include an examination of the recommendations in the report titled "Maine State Ferry Service, MaineDOT, Operational Safety Assessment (OSA) Report," dated April 4, 2008 and written by Safety Management Systems, LLC. The peer review assessment must include, at a minimum, comments relating to:

1. Appropriate staffing levels for vessels operated by the Maine State Ferry Service;

2. An adequate minimum mandatory training level for each position within the Maine State Ferry Service; and

3. Standard operating procedures relating to crew stations and duties while in port and at sea and decisions regarding passengers who fall overboard, fire-fighting, extreme weather conditions, abandoning ship and other emergency procedures; and be it further

Sec. 2. Operational changes relating to Maine State Ferry Service. Resolved: That, by June 1, 2017, the Department of Transportation shall adopt rules relating to the Maine State Ferry Service in accordance with this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. The rules must:

1. Require all vessels operating for the Maine State Ferry Service to be outfitted with a lockbox for medical samples. The rules must provide for the transport of medical diagnostic samples, including, but not limited to, allowing medical personnel access to the lockbox;

2. Include procedures to modernize customer services, including, but not limited to, passenger wait lines, slot times and seasonal rates. The procedures must be developed with the goal of improving customer service and identifying opportunities for increased revenue; and

3. Implement a standardized process to improve training of Maine State Ferry Service employees. The rules must require that, to the extent it is practicable, vessel crew training be accomplished before reporting for duty, including, but not limited to, familiarization with the vessel the crew member will be working on. Vessel crew training must include, but is not limited to, the location and operation of emergency equipment and firefighting equipment and vessel-specific procedures, overboard drills and duty stations in port and at sea. The training may be accomplished by the port captain except for training that must be accomplished while the vessel is under way. Training under this subsection must satisfy the applicable federal regulations for ferry boats and ferry service training protocols; and be it further

Sec. 3. Report. Resolved: That, no later than February 1, 2017, the Department of Transportation shall submit a report with the results of the peer review assessment under section 1 and a progress report on its rules developed pursuant to section 2 to the joint standing committee of the Legislature having jurisdiction over transportation matters. The joint standing committee of the Legislature having jurisdiction over transportation matters may submit a bill to the First Regular Session of the 128th Legislature related to the reports; and be it further

Sec. 4. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

**TRANSPORTATION, DEPARTMENT OF
Multimodal - Island Ferry Service Z016**

Initiative: Provides allocations to conduct a peer review of the Maine State Ferry Service and to outfit all Maine State Ferry Service vessels with lockboxes for medical samples.

HIGHWAY FUND	2015-16	2016-17
Personal Services	\$0	\$5,000
All Other	\$0	\$1,500
HIGHWAY FUND TOTAL	\$0	\$6,500
ISLAND FERRY SERVICES FUND	2015-16	2016-17
Personal Services	\$0	\$10,000
All Other	\$0	\$3,000

ISLAND FERRY SERVICES	\$0	\$13,000
FUND TOTAL		

See title page for effective date.

CHAPTER 87

H.P. 1006 - L.D. 1465

Resolve, To Require the Department of Health and Human Services To Conduct a Study of Ambulance Services

Sec. 1. Rate study. Resolved: That the Department of Health and Human Services shall contract with a 3rd-party consultant to conduct a rate study of Chapter 101: MaineCare Benefits Manual, Section 5, Ambulance Services. The rate study must account for provider costs related to ambulance services. The rate study must also assess the feasibility of reimbursing for community paramedicine services and potential rates for those services. The 3rd-party consultant conducting the study under this section shall invite the participation of stakeholders providing ambulance services; and be it further

Sec. 2. Report. Resolved: That the Department of Health and Human Services, no later than January 1, 2017, shall submit a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters on the department's progress on developing a reimbursement rate for community paramedicine services pursuant to section 1 of this resolve.

See title page for effective date.

CHAPTER 88

H.P. 1162 - L.D. 1696

Resolve, To Establish a Moratorium on Rate Changes Related to Rule Chapter 101: MaineCare Benefits Manual, Sections 13, 17, 28 and 65

Sec. 1. Rate Study. Resolved: That, on January 2, 2017, the Department of Health and Human Services shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters with a completed rate study on Rule Chapter 101: MaineCare Benefits Manual, Sections 13, 17, 28 and 65 conducted by Burns and Associates and in process on the effective date of this resolve; and be it further