

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
SECOND REGULAR AND FIRST SPECIAL SESSIONS



Summaries of bills, adopted amendments and laws enacted or finally passed
during the Second Regular or First Special Sessions of the 123rd Maine
Legislature coming from the

**JOINT STANDING COMMITTEE ON APPROPRIATIONS AND
FINANCIAL AFFAIRS**

May 2008

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STATE OF MAINE
123RD LEGISLATURE
SECOND REGULAR & FIRST SPECIAL SESSIONS



**LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS**

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the Second Regular or First Special Sessions of the 123rd Maine Legislature.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed; bill died</i>
<i>ONTP (or Accepted ONTP report)</i>	<i>Ought Not To Pass report accepted; bill died</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

The effective date for non-emergency legislation enacted in the Second Regular Session (R2) is June 30, 2008. The effective date for non-emergency legislation enacted in the First Special Session (S1) is July 18, 2008.¹ The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills. Any bill summarized in this document having an LD number less than 1932 was a bill carried over from the First Regular Session of the 123rd Legislature.

¹ The session in which each law was enacted or finally passed (R2 or S1) is included in Appendix C.

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PART FFFF requires the Treasurer of State to implement a policy requiring the annual sale of shares of stock that are delivered to the State as unclaimed property.

PART GGGG directs the establishment by rule of license fees for food and food salvage establishments, meat and poultry processors and beverage plants to increase revenue by a specified amount as well as fees for registering a fuel dispensing nozzle and payments to local sealers for inspection of dispensing nozzles.

PART HHHH allocates funds from the Fund for a Healthy Maine to offset reductions in block grant funding or other reductions in family planning services, domestic violence and sexual assault programs, the Hancock County Drug Court and agencies that provide HIV/AIDS services.

PART IIII provides Fund for a Healthy Maine funding to local school units that provide breakfasts to eligible students for the student's portion of the cost of the breakfast.

PART JJJJ requires the Department of Education to work with other departments to better coordinate efforts to assist youths with handicaps who are in transition from school to the community.

PART KKKK requires that any fees associated with the Steve Powell Wildlife Management Area be deposited into a dedicated revenue account.

PART LLLL affects the Office of Program Evaluation and Government Accountability and was, subsequently, significantly amended by LD 2307, Public Law 2007, chapter 710.

PART MMMM requires the Commissioner of Health and Human Services to consult with the Court Master regarding proposed administrative staffing changes or changes in administrative position counts at Riverview Psychiatric Center and to provide notice to the Legislature regarding proposed changes and the results of the consultation with the Court Master.

PART NNNN requires the monthly reports concerning individuals with mental retardation and developmental disabilities.

PART OOOO establishes a position in the Department of Conservation to offset an eliminated position in the Land Use Regulation Commission, restores some funding for the civil air patrol program and adjusts funding between fiscal years to fund indigent defense.

PART PPPP establishes the Commission To Review Short-term and Long-term Costs in the Maine Public Employees Retirement System.

LD 2290 An Act To Protect Access to Health Care

PUBLIC 545

Sponsor(s)

MILLS J

Committee Report

Amendments Adopted

This bill gives the community service networks the responsibility of providing consolidated mental health crisis services for children and adults, beginning March 1, 2009, through a memorandum of understanding among providers of mental health services in the network that includes provisions to ensure coordination, eliminate duplication and provide a minimum level of crisis services established by the department. It includes appropriations for mental health consolidated crisis services and community integration services. It provides increased funding for MaineCare home- and community-based services for people who are served through the Medicaid Mental Retardation Waiver. It appropriates funds for hospital-based physicians and additional payments to hospitals. This

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bill also updates the base year for the hospital tax and excludes municipally funded hospitals from the tax after July 1, 2008. This bill was enacted without reference to any committee.

Enacted Law Summary

Public Law 2007, chapter 545 gives the community service networks the responsibility of providing consolidated mental health crisis services for children and adults, beginning March 1, 2009, through a memorandum of understanding among providers of mental health services in the network that includes provisions to ensure coordination, eliminate duplication and provide a minimum level of crisis services established by the department. It includes appropriations for mental health consolidated crisis services and community integration services. It provides increased funding for MaineCare home- and community-based services for people who are served through the Medicaid Mental Retardation Waiver. It appropriates funds for hospital-based physicians and additional payments to hospitals. It also updates the base year for the hospital tax and excludes municipally funded hospitals from the tax after July 1, 2008.