

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 1254

H.P. 873

House of Representatives, March 30, 2009

An Act To Repeal Inactive Boards and Commissions

Reported by Representative BEAUDETTE of Biddeford for the Secretary of State pursuant to the Maine Revised Statutes, Title 5, section 12006, subsection 2.

Reference to the Committee on State and Local Government suggested and ordered printed under Joint Rule 218.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

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

2 **Sec. 1. 3 MRSA §2-B**, as amended by PL 1999, c. 2, §1, is repealed.

3 **Sec. 2. 3 MRSA §162, sub-§12-A**, as amended by PL 2001, c. 358, Pt. E, §1, is
4 further amended to read:

5 **12-A. Reserve Fund for State House Preservation and Maintenance.** To
6 administer the Reserve Fund for State House Preservation and Maintenance, established
7 and maintained as provided in this subsection. The State Controller at the close of each
8 fiscal year and at the request of the Legislative Council shall transfer from unexpended
9 balances of General Fund appropriations to the Legislature to the Reserve Fund for State
10 House Preservation and Maintenance available amounts up to \$250,000 a year until a
11 maximum of \$1,500,000 is achieved. The State Controller is further authorized to
12 transfer from the Reserve Fund for State House Preservation and Maintenance to the
13 Blaine House Renovations and Repairs Fund the amounts recommended by the
14 Legislative Council. The Reserve Fund for State House Preservation and Maintenance
15 may also receive and accept allocations, appropriations, grants and contributions of
16 money to be held, used or applied to carry out this subsection, subject to the conditions
17 upon which these allocations, appropriations, grants and contributions are made.
18 Expenditures from the Reserve Fund for State House Preservation and Maintenance are
19 subject to legislative allocation, may be made only for major repairs and renovations to
20 the State House, ~~must be reviewed and recommended by the State House and Capitol~~
21 ~~Park Commission~~ and must receive a majority vote of the Legislative Council. Funds
22 allocated or appropriated to the Reserve Fund for State House Preservation and
23 Maintenance may not lapse but must be carried forward;

24 **Sec. 3. 3 MRSA §162, sub-§17**, as amended by PL 2001, c. 468, §1, is further
25 amended to read:

26 **17. Approve plans to preserve and develop the State House and the immediate**
27 **grounds.** To approve architectural, aesthetic and decorative alterations to the State
28 House. The Legislative Council also has authority to preserve and develop the aesthetic
29 and historical integrity of the State House and the immediate grounds. The exercise of
30 this authority with respect to Capitol Park must be consistent with the plan for Capitol
31 Park developed by the Olmsted Brothers firm in 1920 as revised by the Pressley firm in
32 1990. The Legislative Council has the power to enter into contracts and other powers
33 necessary to implement this subsection ~~and chapter 31~~;

34 **Sec. 4. 3 MRSA c. 10**, as amended, is repealed.

35 **Sec. 5. 3 MRSA c. 31**, as amended, is repealed.

36 **Sec. 6. 3 MRSA §959, sub-§1, ¶A**, as amended by PL 2005, c. 550, §1, is further
37 amended to read:

38 A. The joint standing committee of the Legislature having jurisdiction over
39 agriculture, conservation and forestry matters shall use the following list as a
40 guideline for scheduling reviews:

- 1 (1) Baxter State Park Authority in 2009;
- 2 (2) Department of Conservation in 2011;
- 3 (3) Blueberry Advisory Committee in 2011;
- 4 (4) Board of Pesticides Control in 2011;
- 5 (5) Wild Blueberry Commission of Maine in 2011;
- 6 (6) Seed Potato Board in 2011;
- 7 (7) Maine Dairy and Nutrition Council in 2007;
- 8 (8) Maine Dairy Promotions Board in 2007;
- 9 (9) Maine Milk Commission in 2007;
- 10 (10) State Harness Racing Commission in 2007;
- 11 ~~(11) Maine Agricultural Bargaining Board in 2009;~~
- 12 (12) Department of Agriculture, Food and Rural Resources in 2009; and
- 13 (14) Land for Maine's Future Board in 2007.

14 **Sec. 7. 5 MRSA §298, 5th ¶**, as amended by PL 1993, c. 361, Pt. A, §1, is further
15 amended to read:

16 The Director of Public Improvements serves as the secretariat of the commission in
17 exercising its administration. The commission may, in accordance with the Maine
18 Administrative Procedure Act, ~~chapter 375~~, adopt and enforce rules as it determines
19 necessary, ~~except rules relating to the State Capitol Building under the jurisdiction of the~~
20 ~~State House and Capitol Park Commission, as it determines necessary for the purposes of~~
21 ~~carrying out this chapter~~. These rules have the force of law.

22 **Sec. 8. 5 MRSA §299, sub-§4**, as enacted by PL 1989, c. 410, §16, is amended to
23 read:

24 **4. Cooperation and information exchange.** The Capitol Planning Commission, ~~the~~
25 ~~State House and Capitol Park Commission~~ and the Office of the Governor shall exchange
26 information on a regular basis, at least 2 times each year, concerning the plans, proposals
27 and activities of each organization with respect to the facilities and grounds at the seat of
28 government. Each organization shall cooperate with the others and coordinate their
29 efforts.

30 **Sec. 9. 5 MRSA §1547, sub-§7**, as enacted by PL 2003, c. 451, Pt. F, §2 and
31 amended by c. 600, §4, is further amended to read:

32 **7. Other related organizations.** All legislatively created public instrumentalities
33 and related organizations for which the State is financially accountable or that have a
34 significant relationship with the State as defined by a governmental accounting standards
35 board that are not included in subsection 3, including but not limited to eligible
36 institutions ~~as defined in section 13103~~, that receive funds from bond issues must comply

1 with the fiscal reporting policies established by the State Controller. The fiscal and
2 reporting policies must include:

- 3 A. Internal control standards required by section 1541, subsection 10-A;
- 4 B. Quarterly reporting to the State Controller that includes a detail of transactions
5 and reconciliation of all accounts;
- 6 C. No later than October 15th annually, submission to the Department of
7 Administrative and Financial Services, Office of the State Controller of all financial
8 statements and schedules of expenditures of federal awards;
- 9 D. Financial statements that are prepared in accordance with the standards and
10 requirements established by a governmental accounting standards board; and
- 11 E. Submission annually to the Department of Administrative and Financial
12 Services, Office of the State Controller of a copy of the independent auditor's report,
13 including any findings, recommendations and management letter comments, and any
14 other materials considered necessary by the State Controller.

15 Legislatively created public instrumentalities and other related organizations required to
16 comply under this subsection who must also comply with the federal Office of
17 Management and Budget circulars, regulations issued by a governmental accounting
18 standards board or other accounting, auditing and reporting requirements may submit that
19 information to the State Controller to satisfy the requirements of this subsection.

20 **Sec. 10. 5 MRSA §1742, sub-§16**, as amended by PL 1989, c. 410, §18, is
21 repealed.

22 **Sec. 11. 5 MRSA §1825-T**, as enacted by PL 2007, c. 193, §4, is repealed.

23 **Sec. 12. 5 MRSA c. 165**, as amended, is repealed.

24 **Sec. 13. 5 MRSA c. 316**, as amended, is repealed.

25 **Sec. 14. 5 MRSA §12004-A, sub-§6**, as repealed and replaced by PL 1991, c.
26 397, §1, is repealed.

27 **Sec. 15. 5 MRSA §12004-B, sub-§7**, as enacted by PL 1987, c. 786, §5, is
28 repealed.

29 **Sec. 16. 5 MRSA §12004-G, sub-§4**, as enacted by PL 1987, c. 786, §5, is
30 repealed.

31 **Sec. 17. 5 MRSA §12004-G, sub-§4-B**, as enacted by PL 2001, c. 196, §1, is
32 repealed.

33 **Sec. 18. 5 MRSA §12004-G, sub-§13-E**, as enacted by PL 2001, c. 662, §4, is
34 repealed.

35 **Sec. 19. 5 MRSA §12004-G, sub-§14-E**, as enacted by PL 2005, c. 12, Pt. PP,
36 §2, is repealed.

1 **Sec. 20. 5 MRSA §12004-G, sub-§26-D**, as enacted by PL 1997, c. 506, §2, is
2 repealed.

3 **Sec. 21. 5 MRSA §12004-G, sub-§33-E**, as amended by PL 2005, c. 19, §1, is
4 repealed.

5 **Sec. 22. 5 MRSA §12004-I, sub-§13-A**, as enacted by PL 2007, c. 342, §1, is
6 repealed.

7 **Sec. 23. 5 MRSA §12004-I, sub-§18-C**, as amended by PL 2003, c. 20, Pt. TT,
8 §1, is repealed.

9 **Sec. 24. 5 MRSA §12004-I, sub-§18-E**, as enacted by PL 2003, c. 710, §1, is
10 repealed.

11 **Sec. 25. 5 MRSA §12004-I, sub-§24**, as amended by PL 2003, c. 414, Pt. B, §9
12 and affected by c. 614, §9, is repealed.

13 **Sec. 26. 5 MRSA §12004-I, sub-§24-B**; as enacted by PL 1991, c. 698, §1, is
14 repealed.

15 **Sec. 27. 5 MRSA §12004-I, sub-§29-D**, as enacted by PL 2007, c. 193, §5, is
16 repealed.

17 **Sec. 28. 5 MRSA §12004-I, sub-§36-D**, as enacted by PL 1997, c. 560, Pt. D,
18 §1, is repealed.

19 **Sec. 29. 5 MRSA §12004-I, sub-§42**, as amended by PL 1993, c. 384, §1, is
20 repealed.

21 **Sec. 30. 5 MRSA §12004-I, sub-§47-F**, as enacted by PL 2003, c. 465, §2, is
22 repealed.

23 **Sec. 31. 5 MRSA §12004-I, sub-§57-D**, as enacted by PL 1999, c. 85, §1, is
24 repealed.

25 **Sec. 32. 5 MRSA §12004-I, sub-§75-A**, as enacted by PL 1989, c. 410, §20, is
26 repealed.

27 **Sec. 33. 5 MRSA §12004-J, sub-§10**, as enacted by PL 1991, c. 417, §2, is
28 repealed.

29 **Sec. 34. 5 MRSA §12004-K, sub-§1**, as enacted by PL 1987, c. 786, §5, is
30 repealed.

31 **Sec. 35. 5 MRSA §12004-K, sub-§10**, as enacted by PL 1987, c. 786, §5, is
32 repealed.

1 **Sec. 36. 5 MRSA §12004-K, sub-§11**, as enacted by PL 1987, c. 786, §5, is
2 repealed.

3 **Sec. 37. 5 MRSA §13103**, as amended by PL 2005, c. 168, §§1 and 2, is repealed.

4 **Sec. 38. 5 MRSA §13104**, as enacted by PL 2001, c. 196, §9, is repealed.

5 **Sec. 39. 5 MRSA §13105, sub-§2, ¶C**, as amended by PL 2005, c. 19, §2, is
6 further amended to read:

7 C. The development of new commercial products and the fabrication of such
8 products in the State through the Maine Technology Institute under section 15302
9 and the technology centers under section 15321; and

10 **Sec. 40. 5 MRSA §15303, sub-§6-B**, as enacted by PL 2001, c. 196, §10, is
11 repealed.

12 **Sec. 41. 5 MRSA c. 407, sub-c. 2**, as amended, is repealed.

13 **Sec. 42. 5 MRSA §19202**, as amended by PL 2001, c. 354, §3 and corrected by
14 RR 2003, c. 2, §10 and amended by c. 689, Pt. B, §6, is repealed.

15 **Sec. 43. 5 MRSA §19203-C, sub-§10**, as enacted by PL 1995, c. 404, §13, is
16 repealed.

17 **Sec. 44. 5 MRSA §19205, sub-§2**, as amended by PL 1995, c. 404, §19 and PL
18 2003, c. 689, Pt. B, §7, is further amended to read:

19 **2. Coordination of services.** A person designated by the Commissioner of Health
20 and Human Services shall ensure coordination of new and existing services so as to meet
21 the needs of persons with HIV or AIDS and identify gaps in programs.

22 ~~The committee established in section 12004-I, subsection 42, shall work with the person~~
23 ~~designated in this chapter to ensure the coordination of services to meet the needs of~~
24 ~~persons with HIV or AIDS.~~

25 **Sec. 45. 7 MRSA §1**, as amended by PL 1995, c. 693, §3, is further amended to
26 read:

27 **§1. Department of Agriculture, Food and Rural Resources**

28 The Department of Agriculture, Food and Rural Resources, is established and is
29 maintained for the improvement of agriculture and the advancement of the interests of
30 husbandry. The Department of Agriculture, Food and Rural Resources is referred to in
31 this Title as the "department" and consists of the Commissioner of Agriculture, Food and
32 Rural Resources, in this Title called the "commissioner," and the following: ~~The~~
33 ~~Arroostook Water and Soil Management Board~~, the Board of Pesticide Control, the Maine
34 Milk Commission, the Maine Potato Board, the Seed Potato Board, the Harness Racing
35 Commission and the Board of Veterinary Medicine. The commissioner is appointed by
36 the Governor, subject to review by the joint standing committee of the Legislature having

1 jurisdiction over agriculture matters and to confirmation by the Legislature, and holds
2 office during the pleasure of the Governor. The commissioner is entitled to receive actual
3 expenses incurred in the performance of the commissioner's official duties. The
4 commissioner may employ such clerical labor as may be required, subject to the Civil
5 Service Law, and may expend such sums for postage, telephone, telegraph and other
6 general office expenses as may be necessary in the performance of the commissioner's
7 duties, the same to be paid out of any money appropriated by the Legislature for such
8 purpose.

9 **Sec. 46. 7 MRSA c. 11**, as amended, is repealed.

10 **Sec. 47. 10 MRSA §949, sub-§2, ¶B**, as enacted by PL 2007, c. 420, §7, is
11 amended to read:

12 B. ~~Thirty~~ Twenty-six members appointed by the Governor:

13 (1) Seven representatives from the for-profit business community within the 7
14 targeted technologies as defined in Title 5, section 15301;

15 (2) Seven representatives involved with nonprofit research institutions within the
16 7 targeted technologies as defined in Title 5, section 15301;

17 ~~(3) Four representatives of the Maine Biomedical Research Board established~~
18 ~~pursuant to Title 5, section 12004-G, subsection 4-B;~~

19 (4) Two representatives from nonprofit research laboratories with main offices
20 or headquarters in this State and demonstrated expertise and credentials in marine
21 research;

22 (5) One representative of the University of Maine and one representative of the
23 University of Southern Maine;

24 (6) Four representatives of private universities and colleges within the State;

25 (7) One representative of the University of Maine Center for Law and
26 Innovation;

27 (8) One representative of the Small Enterprise Growth Program as established in
28 section 381; and

29 (9) Two representatives with demonstrated expertise in venture capital.

30 **Sec. 48. 10 MRSA §8001, sub-§38, ¶G**, as enacted by PL 1995, c. 397, §11, is
31 repealed.

32 **Sec. 49. 12 MRSA §6024, sub-§1-A**, as amended by PL 2007, c. 695, Pt. K, §1,
33 is further amended to read:

34 **1-A. Appointment; composition; term; compensation.** The Marine Resources
35 Advisory Council, established by Title 5, section 12004-G, subsection 27, consists of ~~46~~
36 15 members. The chair of the Lobster Advisory Council, ~~the chair of the Marine~~
37 ~~Recreational Fishing Advisory Council~~, the chair of the Sea Run Fisheries and Habitat
38 Advisory Council, the chair of the Sea Urchin Zone Council and the chair of the Shellfish
39 Advisory Council are ex officio members of the council. Each other member is appointed

1 by the Governor and is subject to review by the joint standing committee of the
2 Legislature having jurisdiction over marine resources matters and to confirmation by the
3 Legislature. Five members must be persons who are licensed under this Part to engage in
4 commercial harvesting activities. Those 5 members are selected by the Governor from
5 names recommended to the Governor by groups representing commercial harvesting
6 interests. Each member must represent a different commercial harvesting activity, except
7 that none of those 5 members may represent lobster harvesters. The remaining 6 members
8 must include one public member, 4 persons who hold a nonharvesting-related license
9 under this Part and one person representing the aquaculture industry. The Governor shall
10 select the person to represent the aquaculture industry from among the names
11 recommended by the aquaculture industry. The composition of the council must reflect a
12 geographical distribution along the coast. All appointed members are appointed for a term
13 of 3 years, except a vacancy must be filled in the same manner as an original member for
14 the unexpired portion of the term. An appointed member may not serve for more than 2
15 consecutive terms. Appointed members serve until their successors are appointed. The
16 chair of the Lobster Advisory Council, ~~the chair of the Marine Recreational Fishing~~
17 ~~Advisory Council~~, the chair of the Sea Run Fisheries and Habitat Advisory Council, the
18 chair of the Sea Urchin Zone Council and the chair of the Shellfish Advisory Council
19 shall serve until a new chair of the Lobster Advisory Council, ~~a new chair of the Marine~~
20 ~~Recreational Fishing Advisory Council~~, a new chair of the Sea Run Fisheries and Habitat
21 Advisory Council, a new chair of the Sea Urchin Zone Council or a new chair of the
22 Shellfish Advisory Council, respectively, is chosen. Members are compensated as
23 provided in Title 5, chapter 379.

24 **Sec. 50. 12 MRSA §6033**, as enacted by PL 1999, c. 85, §4, is repealed.

25 **Sec. 51. 12 MRSA §6034, sub-§1**, as amended by PL 2005, c. 505, §1, is further
26 amended to read:

27 **1. Appointment; composition.** The Commercial Fishing Safety Council, referred to
28 in this section as "the council" and established by Title 5, section 12004-I, subsection
29 57-E, consists of ~~17~~ 16 members, 15 of whom are appointed by the commissioner as
30 follows:

31 A. One member who is a license holder under this Part and a member of the
32 Lobster Advisory Council, recommended by the chair of the Lobster Advisory
33 Council;

34 B. One member who is a license holder under this Part and a member of the Marine
35 Resources Advisory Council, recommended by the chair of the Marine Resources
36 Advisory Council;

37 C. One member who is a license holder under this Part and a member of the Sea
38 Urchin Zone Council, recommended by the chair of the Sea Urchin Zone Council;

39 D. Five members who are license holders under this Part and who represent
40 commercial marine harvesting activities;

41 E. An educator experienced in community-based adult education and volunteer
42 safety training;

- 1 F. An expert in fishing industry risk analysis and occupational health;
- 2 G. An expert in marine safety equipment;
- 3 H. A representative of the marine insurance industry;
- 4 I. A marine surveyor;
- 5 J. A spouse or domestic partner of a license holder under this Part; and
- 6 K. A member of the public.

7 The chair of the Marine Resources Advisory Council ~~and the chair of the Marine~~
8 ~~Recreational Fishing Advisory Council~~ are is an ex officio members member of the
9 council. The composition of the council must reflect a geographic distribution along the
10 coast of the State. The council may invite to carry out the duties of the council other
11 participants on an ad hoc basis, including representatives of private or governmental
12 organizations or individuals with expertise or interest in marine, education, labor or
13 health matters.

14 **Sec. 52. 12 MRSA §10051, 2nd ¶**, as enacted by PL 2003, c. 414, Pt. A, §2 and
15 affected by c. 614, §9, is amended to read:

16 The department consists of the Commissioner of Inland Fisheries and Wildlife, a
17 deputy commissioner, the Bureau of Administrative Services, the Bureau of Resource
18 Management and the Bureau of Warden Service. The department also includes the
19 Advisory Board for the Licensing of Guides, ~~the Junior Maine Guides and Trip Leaders'~~
20 ~~Curriculum Board~~ and whatever state agencies that are designated. The department is
21 under the control and supervision of the commissioner.

22 **Sec. 53. 12 MRSA §10154**, as enacted by PL 2003, c. 414, Pt. A, §2 and affected
23 by Pt. D, §7 and c. 614, §9 and amended by c. 689, Pt. B, §6, is repealed.

24 **Sec. 54. 12 MRSA §12860, sub-§5**, as enacted by PL 2003, c. 414, Pt. A, §2 and
25 affected by c. 614, §9, is amended to read:

26 **5. Curriculum.** ~~With the advice of the Junior Maine Guides and Trip Leaders~~
27 ~~Curriculum Advisory Board, the~~ The commissioner shall review and adopt a trip leader
28 safety course curriculum that includes, but is not limited to:

- 29 A. Training in first aid;
- 30 B. Training in water safety, including lifesaving techniques as appropriate; and
- 31 C. Trip leader qualifications and required experience for the special waiver
32 procedure in subsection 4.

33 The commissioner shall publish the curriculum ~~adopted or approved by the Junior Maine~~
34 ~~Guides and Trip Leaders Curriculum Advisory Board~~ and a current list of courses, with
35 the approved curriculum, by name and address.

36 **Sec. 55. 13 MRSA c. 85, sub-c. 2, art. 6**, as amended, is repealed.

37 **Sec. 56. 20-A MRSA c. 7**, as amended, is repealed.

1 **Sec. 57. 20-A MRSA c. 117, sub-c. 5**, as amended, is repealed.

2 **Sec. 58. 20-A MRSA §9501, sub-§2**, as amended by PL 1997, c. 266, §11, is
3 further amended to read:

4 **2. Exemptions.** Educational programs related to the real estate professions that are
5 subject to approval under Title 32, chapter 59, commercial driver education schools
6 subject to approval by the Secretary of State under Title 29-A, chapter 11, subchapter III
7 ~~3, schools of barbering and schools of cosmetology subject to approval by the Board of~~
8 ~~Barbering and Cosmetology under Title 32, chapter 126,~~ educational programs offered by
9 any Maine nonprofit corporation, any educational programs offered by any professional
10 or trade association primarily for the benefit of its own members and any educational
11 institution authorized by the laws of this State to grant a degree are exempt from the
12 requirements of this chapter.

13 **Sec. 59. 20-A MRSA §12523**, as enacted by PL 2003, c. 710, §2, is repealed.

14 **Sec. 60. 20-A MRSA §12531, sub-§2**, as enacted by PL 2005, c. 427, §1, is
15 amended to read:

16 **2. Eligible employment position.** "Eligible employment position" means a full-time
17 position within the State as the founder or employee of a ~~technology based business~~
18 ~~developed within the Applied Technology Development Center System, as established in~~
19 ~~Title 5, section 15321, or other~~ statewide recognized economic development entity.

20 **Sec. 61. 20-A MRSA §19102, sub-§2**, as amended by PL 2003, c. 20, Pt. TT, §1,
21 is further amended to read:

22 **2. Learning technology plan.** The use of the fund must be based on a learning
23 technology plan, referred to in this section as the "plan," developed annually beginning
24 for school year 2002-03 by the commissioner ~~with the advice of the advisory board~~
25 ~~established under section 19109~~ and adopted by the Legislature. The annual plan must be
26 designed to achieve the goal of preparing students for a future economy that relies on
27 technology and innovation.

28 The plan developed annually by the commissioner ~~and the advisory board~~ must include,
29 but is not limited to, consideration of the following:

- 30 A. The appropriate structure, governance and oversight of the fund;
- 31 B. The current use of learning technology in classrooms in the State;
- 32 C. The current readiness of faculty to use technology in teaching;
- 33 D. The professional development needed to integrate technology into classroom
34 teaching;
- 35 E. Assessment of the strategy and goals for improving and equalizing access to and
36 the use of learning technology in all schools;
- 37 F. A plan for implementing the plan in several phases, with Phase I implementing
38 the plan for all schools, students and teachers at the 7th and 8th grade levels;

1 G. Strategies that coordinate the resources and goals of the fund and the plan with a
2 network of schools and libraries in the State administered by the Public Utilities
3 Commission and the telecommunications education access fund;

4 H. Strategies that coordinate learning technology in kindergarten to grade 12
5 education with initiatives and resources of the State's postsecondary education
6 institutions; and

7 I. Data tracking and assessment of the progress of implementing the goals of the
8 fund and the plan.

9 **Sec. 62. 20-A MRSA §19103, sub-§2**, as amended by PL 2003, c. 20, Pt. TT, §1,
10 is further amended to read:

11 **2. Fundraising plan.** The commissioner and the Commissioner of Administrative
12 and Financial Services shall, for the duration of the fund, identify and submit grant and
13 fundraising proposals in support of the priorities of the learning technology plan
14 established pursuant to section 19102 to federal, corporate, foundation or other 3rd-party
15 sources as appropriate.

16 ~~In conjunction with the advisory board established under section 19109, the~~ The
17 commissioner and the Commissioner of Administrative and Financial Services shall
18 develop a plan for fundraising and identifying grant sources that is designed to raise
19 sufficient funds to enable the learning technology plan to expand to the secondary school
20 level. The fundraising plan must identify specific funding sources, as appropriate,
21 timelines and an assessment of the probability of success.

22 In order to preserve the integrity of the educational purposes of the learning technology
23 plan, all fundraising and grant proposals must be consistent with the goals and terms of
24 the learning technology plan. The commissioner and the Commissioner of
25 Administrative and Financial Services ~~in conjunction with the advisory board established~~
26 ~~under section 19109~~ shall develop any necessary guidelines for fundraising and grant
27 proposals in order to carry out this requirement.

28 **Sec. 63. 20-A MRSA §19105, sub-§1**, as enacted by PL 2001, c. 358, Pt. II, §6,
29 is amended to read:

30 **1. Annual plan recommendation.** Prior to December 15th of each year, the
31 commissioner, ~~after consultation with the advisory board established under section 19109~~
32 and the Commissioner of Administrative and Financial Services ~~and~~, after receiving the
33 approval of the state board, shall recommend to the Governor and the Department of
34 Administrative and Financial Services, Bureau of the Budget the funding level for
35 implementing the annual learning technology plan.

36 **Sec. 64. 20-A MRSA §19108, sub-§2**, as enacted by PL 2001, c. 358, Pt. II, §6,
37 is repealed.

38 **Sec. 65. 20-A MRSA §19109**, as amended by PL 2003, c. 20, Pt. TT, §1, is
39 repealed.

1 **Sec. 66. 20-A MRSA §19110**, as enacted by PL 2001, c. 358, Pt. II, §6, is
2 repealed.

3 **Sec. 67. 22 MRSA §271, sub-§2**, as enacted by PL 1997, c. 560, Pt. D, §2, is
4 repealed.

5 **Sec. 68. 22 MRSA §272, sub-§1**, as enacted by PL 1997, c. 560, Pt. D, §2, is
6 amended to read:

7 **1. Program established.** The Tobacco Prevention and Control Program is
8 established in the bureau. The purposes of the program are to prevent the State's youths
9 from ever using tobacco products and to assist youths and adults who currently smoke
10 cigarettes and use other tobacco products to discontinue that use. The program includes
11 the following components:

12 A. An ongoing, major media campaign to:

13 (1) Educate the public about the health hazards, costs and other relevant facts
14 surrounding the use of tobacco products;

15 (2) Encourage young people not to begin using tobacco products;

16 (3) Motivate the users of tobacco products to discontinue smoking; and

17 (4) Encourage public acceptance of smoke-free environments;

18 B. Grants for funding community-based programs aimed at tobacco prevention and
19 control, including funding of tobacco prevention and control education for those
20 school administrative units that choose to offer such programs to primary, middle and
21 high school students; for community-based enforcement of state tobacco control
22 laws, including sales to minors and for cessation services;

23 C. Procedures for monitoring and evaluating the prevention and control program,
24 including:

25 (1) Monitoring and maintaining the program's effectiveness through an
26 evaluation of each component; and

27 (2) Assessing the prevalence of the use of tobacco products and knowledge
28 about and attitudes towards such use on a statewide and community basis; and

29 D. In conjunction with law enforcement and other state and federal agencies,
30 increased law enforcement efforts to increase compliance with laws regarding the
31 transportation, distribution and sale of cigarettes and tobacco products.

32 ~~The bureau shall administer the program with the review and advice provided by the~~
33 ~~council in subsection 2 and may contract for professional services to carry out the~~
34 ~~program.~~

35 **Sec. 69. 22 MRSA §272, sub-§2**, as amended by PL 2001, c. 354, §3 and PL
36 2003, c. 689, Pt. B, §6, is repealed.

37 **Sec. 70. 22 MRSA §5107-J**, as enacted by PL 2003, c. 465, §4, is repealed.

1 **Sec. 71. 24-A MRSA §6981, sub-§2**, as enacted by PL 2007, c. 447, §11, is
2 amended to read:

3 **2. Cooperative agreements.** Dirigo Health may enter into voluntary cooperative
4 agreements with a public purchaser for purchasing purposes and administrative functions.
5 If a cooperative agreement is entered into pursuant to this subsection, the self-
6 administered plan and any public purchaser shall maintain separate and distinct risk pools
7 and reserves and may not commingle risk pools or reserve funds under any
8 circumstances. For the purposes of this subsection, "public purchaser" means an entity
9 that purchases health coverage in whole or in part with public funds, including, but not
10 limited to, the state employee health insurance program, the University of Maine System,
11 the Maine Community College System, the Maine Education Association benefits trust,
12 the Maine School Management Association benefits trust and municipal and county
13 governments. For the purposes of this subsection, "public purchaser" does not mean the
14 Department of Health and Human Services, Office of MaineCare Services ~~except for~~
15 ~~cooperative agreements for the purchasing of pharmaceuticals pursuant to Title 5, section~~
16 ~~2031.~~

17 **Sec. 72. 27 MRSA §86-A, first ¶**, as amended by PL 1993, c. 361, Pt. A, §3, is
18 further amended to read:

19 The Maine State Museum holds title, as trustee for the State, to all historical
20 materials, other than documents or other library or archival items under the administrative
21 jurisdiction of the Maine State Library or the Maine State Archives, that are or may
22 become the property of the State and are or may be housed in the public buildings of the
23 State. These historical materials include the banners and flags presently housed in the
24 State House Hall of Flags and may include, but are not restricted to, paintings, sculptures
25 and other works of art dealing with historic subjects or executed by historically
26 significant artists; flags, banners, insignia, medals, firearms, edged weapons, uniforms
27 and other accoutrements relating to Maine military personnel or units; furnishings,
28 utensils, implements, tools, machinery and other devices having particular historical
29 significance to the State. The State Capitol Building is in the jurisdiction of the ~~State~~
30 ~~House and Capitol Park Planning Commission.~~

31 **Sec. 73. 32 MRSA c. 126**, as amended, is repealed.

32 **Sec. 74. 34-B MRSA §5439, sub-§8, ¶A**, as reallocated by PL 2007, c. 695, Pt.
33 A, §41, is amended to read:

34 A. The commissioner shall:

35 (1) Ensure the input of consumers, personal assistants and any organization that
36 represents personal assistants regarding providing a livable wage for personal
37 care assistance services. The commissioner may seek input through one or more
38 public hearings or by other means determined reasonable by the commissioner;
39 and,

40 ~~(2) Seek advice and input from the Long term Care Oversight Committee~~
41 ~~established in Title 22, section 5107-J to determine whether the rates of~~

1 reimbursement are sufficient for consumers to recruit, hire and retain personal
2 care assistants.

3 **Sec. 75. 37-B MRSA §1131**, as amended by PL 2003, c. 404, §§11 to 14 and c.
4 689, Pt. B, §7, is repealed.

5 **Sec. 76. 38 MRSA §470-F**, as enacted by PL 2001, c. 619, §1, is amended to
6 read:

7 **§470-F. Local water use policies encouraged**

8 The department shall encourage and cooperate with state, regional or municipal
9 agencies, boards or organizations in the development and adoption of regional or local
10 water use policies that protect the environment from excessive drawdown of water
11 sources during low-flow periods. The department shall encourage those entities, in
12 developing those policies, to review previously adopted low-flow policies, ~~including any~~
13 ~~such policies adopted by the Aroostook Water and Soil Management Board established in~~
14 ~~Title 7, section 332.~~

15 **Sec. 77. 38 MRSA §551-A**, as amended by PL 2007, c. 292, §§30 to 32, is
16 repealed.

17 **SUMMARY**

18 This bill repeals boards that did not file annual reports in either 2007 or 2008, or that
19 filed a report that indicated inactivity for 2007 and 2008. The boards and commissions
20 being repealed are:

- 21 1. Citizens' Code of Conduct Working Group;
- 22 2. Long-term Care Oversight Committee;
- 23 3. Maine HIV Advisory Committee;
- 24 4. Publicly Supported Private Secondary School Advisory Council;
- 25 5. Tobacco Prevention and Control Advisory Council;
- 26 6. Technology Center Coordinating Board;
- 27 7. Maine Criminal Justice Commission;
- 28 8. Oil Spill Advisory Committee;
- 29 9. River Flow Advisory Commission;
- 30 10. Advisory Board of the Maine Learning Technology Fund;
- 31 11. Aroostook Water and Soil Management Board;
- 32 12. Board of Barbering and Cosmetology;

- 1 13. Education Commission of the States;
- 2 14. Junior Maine Guides and Trip Leaders Curriculum Advisory Board;
- 3 15. Maine Agricultural Bargaining Board;
- 4 16. Maine Biomedical Research Board;
- 5 17. Maine Engineers Recruitment and Retention Advisory Committee;
- 6 18. Maine-Canadian Legislative Advisory Commission;
- 7 19. Marine Recreational Fishing Advisory Council;
- 8 20. New England and Eastern Canada Legislative Commission;
- 9 21. Pharmaceutical Cost Management Council;
- 10 22. State Compensation Commission; and
- 11 23. State House and Capitol Park Commission.
- 12 This bill corrects cross-references.