

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

SECOND SPECIAL SESSION
July 29, 2005

SECOND REGULAR SESSION
January 4, 2006 to May 24, 2006

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
OCTOBER 28, 2005

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 23, 2006

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

Penmor Lithographers
Lewiston, Maine
2006

appointed to a term of one year, one member must be appointed to a term of 2 years and one member must be appointed to a term of 3 years.

Sec. 7. Directive to Maine Food Policy Council. The state food policy developed by the Maine Food Policy Council under the Maine Revised Statutes, Title 7, section 216, subsection 6 must be designed to support a food supply system that:

1. Ensures Maine residents have a safe and stable food supply free of interruption by natural or human events;
2. Enhances the access, availability, affordability and quality of food for all its citizens;
3. Maintains a safety net to ensure security from hunger for the State's most vulnerable citizens;
4. Recognizes that the regular consumption of a balanced diet of nutritious foods can improve health and reduce health care costs;
5. Is economically and environmentally sustainable;
6. Reflects that Maine is a unique place with land, soil, a climate and fisheries conducive to the production of a wide array of food products;
7. Promotes a fair return to all participants, provides entrepreneurial freedom and allows access to opportunity to participate in the food supply system;
8. Increases food self-reliance through increasing production of food in Maine and increasing the consumption of Maine-produced fish and farm products;
9. Is recognized as a vital sector of the Maine economy, enhances rural economic development and contributes positively to Maine's rural quality of life;
10. Is supported by an adequate supply of farmland and access to working waterfronts to sustain Maine's food and fisheries industries and provide for their future growth;
11. Is accompanied by public and consumer information on the value of a proper diet and healthy lifestyle and the benefits of Maine-produced agricultural and fish products; and
12. Is supported by stable and consistent state policies and programs.

Sec. 8. Development of strategic plan. In developing an initial strategic plan as required under the Maine Revised Statutes, Title 7, section 216, subsection 6, the Maine Food Policy Council shall build on the goals and recommendations of the food

policy working group convened pursuant to Public Law 2005, chapter 382 by the Commissioner of Agriculture, Food and Rural Resources in 2005 and articulated in Section II and Appendix C of that group's report submitted to the Joint Standing Committee on Agriculture, Conservation and Forestry in January of 2006.

Sec. 9. Legislative members to serve on Maine Food Policy Council. Notwithstanding the Maine Revised Statutes, Title 7, section 216, subsection 1, the Maine Food Policy Council at the time of its inception and for one year from that date consists of 15 members, 11 members appointed in accordance with Title 7, section 216, subsection 1 and 4 legislative members appointed as follows:

1. Two members serving on the joint standing committee of the Legislature having jurisdiction over agricultural matters at the time of their appointment; one appointed by the President of the Senate and one appointed by the Speaker of the House;
2. One member serving on the joint standing committee of the Legislature having jurisdiction over matters pertaining to marine fisheries at the time of appointment and appointed by the President of the Senate; and
3. One member serving on the joint standing committee of the Legislature having jurisdiction over matters of health and nutrition at the time of appointment and appointed by the Speaker of the House.

See title page for effective date.

CHAPTER 615

H.P. 1490 - L.D. 2097

An Act To Facilitate the Maine Quality Forum

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

Sec. 1. 24-A MRSA §6903, sub-§13-A is enacted to read:

13-A. Practitioner-specific quality data. "Practitioner-specific quality data" means material in electronic or paper format that provides information about the professional performance of a health care practitioner licensed to provide health care in the State. "Practitioner-specific quality data" includes, but is not limited to, records, reports, working papers, drafts, analyses, e-mail, interoffice and intraoffice memoranda and other data collected, used, produced or maintained by the Maine Quality Forum, established in section 6951, for the purposes of measuring a

health care practitioner's professional performance against consensus best practices and local and national patterns of health care.

Sec. 2. 24-A MRSA §6907, first ¶, as enacted by PL 2003, c. 469, Pt. A, §8, is amended to read:

Except as provided in subsections 1 ~~and~~ 2 and 3, information obtained by Dirigo Health under this chapter is a public record within the meaning of Title 1, chapter 13, subchapter 1.

Sec. 3. 24-A MRSA §6907, sub-§3 is enacted to read:

3. Practitioner-specific quality data. The confidentiality of practitioner-specific quality data is determined according to this subsection.

A. Practitioner-specific quality data is confidential and may not be disclosed by the Maine Quality Forum prior to a determination of accuracy and completeness made under paragraph B.

B. Practitioner-specific quality data is not confidential after a determination of its accuracy and completeness is made by the Director of the Maine Quality Forum or a designee.

See title page for effective date.

CHAPTER 616

S.P. 856 - L.D. 2114

An Act To Implement Organizational Improvements to the Legislative Youth Advisory Council

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

PART A

Sec. A-1. 3 MRSA §168-A, sub-§12 is enacted to read:

12. Solicitation of funds prohibited without prior written approval. No public or private entity may solicit or receive funds from any source on behalf of or for the benefit of the council without prior written approval of the Legislative Council or its executive director. All such funds, if approved and when received by the requesting entity, must be immediately transferred in full to the Legislature and reserved by the Legislature for use by the council.

Sec. A-2. PL 2005, c. 414, §§3 to 5 are repealed.

Sec. A-3. Commissioner of Education to fund 2 public forums of the Legislative Youth Advisory Council during fiscal year 2006-07.

The Commissioner of Education shall use funds received by the Department of Education to support the Task Force on Citizenship Education, established pursuant to Resolve 2003, chapter 143, to pay all costs associated with 2 statewide public forums to be held by the Legislative Youth Advisory Council established in the Maine Revised Statute, Title 3, section 168-A. Furthermore, the department shall reimburse the Legislature for Legislator expenses incurred in participating in the public forums. At the conclusion of the forums and payment of related costs, the department shall provide the Executive Director of the Legislative Council with a detailed financial accounting for all expenses incurred for each public forum, including the sources of the funding.

The 2 public forums must be held between July 1, 2006 and November 30, 2006, in high schools north and south of Augusta and must be for the purpose of soliciting input, suggestions and ideas for enhanced civic education in the State's secondary school system. The commissioner shall provide at least one staff person to attend each public forum and prepare written summaries of the meetings. The Legislative Council shall also provide a staff person to attend each public forum. These 2 public forums of the Legislative Youth Advisory Council constitute 2 of the 6 annual meetings of the council authorized under the Maine Revised Statutes, Title 3, section 168-A, subsection 1. The Legislative Youth Advisory Council must include a summary of those public forums, along with any recommendations resulting from those forums, in a report submitted to the Legislative Council by January 15, 2007.

Completion of the 2 public forums required under this section and full payment by the department of all associated costs constitutes fulfillment of the duties of the department and the Legislative Youth Advisory Council pertaining to public forums required under Resolve 2003, chapter 143, Part A, sections 2 and 3.

PART B

Sec. B-1. 3 MRSA §168-A, sub-§1, ¶E, as amended by PL 2003, c. 20, Pt. F, §2, is further amended to read:

E. Report ~~annually~~ biennially to the Legislature Legislative Council on its activities by February 15th of each year December 1st preceding each second regular session of the Legislature. The council may submit proposed legislation as part of its report to the Legislature Legislative Council to implement its recommendations.