

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

FIRST REGULAR SESSION
December 1, 2004 to March 30, 2005

FIRST SPECIAL SESSION
April 4, 2005 to June 18, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 17, 2005

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

Penmor Lithographers
Lewiston, Maine
2005

Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective June 21, 2005.

CHAPTER 119

H.P. 35 - L.D. 32

Resolve, To Reestablish the Health Care System and Health Security Board

Sec. 1. Board reestablished; duties. Resolved: That the Health Care System and Health Security Board, established by Public Law 2001, chapter 439, Part ZZZ, and amended by Public Law 2003, chapter 492, and referred to in this resolve as "the board," is reestablished and those members serving on the board on November 1, 2004 continue to serve as members, except that new legislative members must be appointed in accordance with Public Law 2001, chapter 439, Part ZZZ, section 1. The board is reestablished for the sole purpose of finalizing its recommendations regarding the feasibility of a single-payor health plan to provide health care coverage to all citizens of this State and may not conduct any other activities; and be it further

Sec. 2. Report; extension prohibited. Resolved: That, no later than December 7, 2005, the board shall submit a report, including any suggested legislation, for presentation to the Joint Standing Committee on Insurance and Financial Services and the Legislative Council. Following receipt and review of the report, the Joint Standing Committee on Insurance and Financial Services may report out a bill related to the report to the Second Regular Session of the 122nd Legislature. The board is not authorized to introduce legislation. The board may not apply to the Legislative Council for an extension and may not take any further action after December 7, 2005, unless further action is authorized by law; and be it further

Sec. 3. Funding; limitation. Resolved: That any unexpended funds allocated to the board as of November 1, 2004 must be carried forward for use by the board and may not lapse. Except for these unexpended funds, no additional funds may be appropriated or allocated from any source to support the board. The board may not seek any outside funding. The board may not incur expenses that exceed available funds; and be it further

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

LEGISLATURE

Miscellaneous Studies 0444

Initiative: Allocates funds to support the meeting costs of the Health Care System and Health Security Board.

OTHER SPECIAL REVENUE

FUNDS	2005-06	2006-07
Personal Services	\$1,100	\$0
All Other	\$4,305	\$0

OTHER SPECIAL REVENUE

FUNDS TOTAL	\$5,405	\$0
-------------	---------	-----

See title page for effective date.

CHAPTER 120

H.P. 709 - L.D. 1024

Resolve, To Review and Recodify Laws Pertaining to Violence in Our Schools

Sec. 1. Review and recodification. Resolved: That the Office of Policy and Legal Analysis shall review the Maine Revised Statutes, Title 20-A and identify provisions pertaining to safety in schools and provisions that establish policies, procedures and penalties to address violence in schools.

The Office of Policy and Legal Analysis and the Office of the Revisor of Statutes shall jointly prepare a bill for submission to the Joint Standing Committee on Education and Cultural Affairs during the Second Regular Session of the 122nd Legislature that recodifies selected sections of Title 20-A, in accordance with the following.

1. Scope of recodification. In preparing the bill, the Office of Policy and Legal Analysis and the Office of the Revisor of Statutes shall reorganize the laws contained in Title 20-A to consolidate or accurately cross-reference sections pertaining to violence and threatening behavior in schools. In preparing the bill, the Office of Policy and Legal Analysis and the Office of the Revisor of Statutes shall eliminate confusing language and make technical changes necessary to improve the accessibility of all provisions pertaining to violence and threatening behavior in schools. The recodification is not intended to contain substantive changes to Title 20-A.

2. Participation of department. The Office of Policy and Legal Analysis and the Office of the Revisor of Statutes shall invite the participation of the Department of Education in preparing the proposed recodification.

3. Report. The Office of Policy and Legal Analysis and the Office of the Revisor of Statutes shall submit the proposed bill to the Joint Standing

Committee on Education and Cultural Affairs no later than December 7, 2005.

See title page for effective date.

CHAPTER 121

H.P. 899 - L.D. 1302

Resolve, Establishing The Task Force To Study Cervical Cancer Prevention, Detection and Education

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this resolve establishes the Task Force to Study Cervical Cancer Prevention, Detection and Education; and

Whereas, the study must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time for submission to the next legislative session; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Task force established. Resolved: That the Task Force to Study Cervical Cancer Prevention, Detection and Education, referred to in this resolve as "the task force," is established; and be it further

Sec. 2. Task force membership. Resolved: That the task force consists of the following 16 voting members:

1. Seven members appointed by the President of the Senate as follows:

- A. One member of the Senate;
- B. One representative of a women's health organization;
- C. One communications consultant;
- D. One representative of the American Academy of Pediatrics;
- E. One representative of the American Academy of Family Physicians;
- F. One licensed registered nurse; and

G. One representative of the Maine Medical Association or its successor;

2. Seven members appointed by the Speaker of the House of Representatives as follows:

A. Two members of the House of Representatives;

B. One representative of the American Cancer Society who is an oncologist;

C. One representative of the health insurance industry;

D. One representative of the American College of Obstetricians and Gynecologists;

E. One member of the Maine Osteopathic Association or its successor; and

F. One person who has survived cervical cancer;

3. The medical director of the Maine Cancer Registry or the medical director's designee; and

4. The Director of the Maine Breast and Cervical Health Program within the Department of Health and Human Services, Bureau of Health and other members of the Bureau of Health, as necessary to the work of the task force, who serve as ex officio nonvoting members of the task force.

When making appointments to the task force, each appointing authority shall ensure that appointees reflect the composition of the State's population with regard to ethnicity, race and age; and be it further

Sec. 3. Chair. Resolved: That the Senate member shall serve as chair and the first-named House member shall serve as vice-chair; and be it further

Sec. 4. Appointments; convening of task force. Resolved: That all appointments must be made no later than 30 days after the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. The chair shall call and convene the first meeting of the task force by August 1, 2005; and be it further

Sec. 5. Quorum. Resolved: That a majority of the task force constitutes a quorum for the transaction of its business; and be it further

Sec. 6. Committees. Resolved: That the task force chair may establish committees for the purpose of making special studies pursuant to its duties and may appoint persons who are not members of the task force to serve on each committee as resource persons. Resource persons are voting members of the committees to which they are