

# 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.**

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2006**

**Whereas**, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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. Adoption. Resolved:** That final adoption of portions of Chapter 270: Uniform Reporting System for Health Care Quality Data Sets, a provisionally adopted major substantive rule of the Maine Health Data Organization that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized if the rule is amended in section 3 (B) to remove 2 healthcare associated infection quality metrics, HAI-5 and HAI-7.

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

Effective April 4, 2006.

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**CHAPTER 166**

**H.P. 1384 - L.D. 1976**

**Resolve, Regarding Legislative Review of Portions of Chapter 120: Release of Data to the Public, a Major Substantive Rule of the Maine Health Data Organization**

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

**Whereas**, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas**, the above-named major substantive rule has been submitted to the Legislature for review; and

**Whereas**, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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 preserva-

tion of the public peace, health and safety; now, therefore, be it

**Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 120: Release of Data to the Public, a provisionally adopted major substantive rule of the Maine Health Data Organization that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective April 4, 2006.

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**CHAPTER 167**

**H.P. 1206 - L.D. 1699**

**Resolve, To Direct the Department of Labor To Coordinate a Task Force To Examine and Study Issues Relating to Workplace Safety and Workplace Violence**

**Sec. 1. Coordination of task force. Resolved:** That the Department of Labor shall coordinate a task force to examine and study workplace safety and workplace violence. Membership in the task force must be composed of a member of the family of a workplace violence victim and one representative from each of the following:

1. The State Police;
2. The Maine Sheriffs' Association;
3. The Maine Women's Lobby;
4. The Maine Coalition to End Domestic Violence;
5. The Maine Coalition Against Sexual Assault;
6. The Maine Merchants' Association;
7. The New England Convenience Store Association;
8. The Maine Restaurant Association; and
9. The Maine AFL-CIO; and be it further

**Sec. 2. Task force study. Resolved:** That the task force under section 1, assisted by the Department of Labor, shall study issues relating to the workplace in order to improve safety and reduce workplace violence. As part of its study, the task force shall review the laws and policies of other states

and the Federal Government and any reports or analyses regarding the effectiveness of laws and policies in other jurisdictions. The study must include an examination of the following issues and any other issues the department or a member of the task force determines appropriate:

1. The adequacy of current laws and standards that address workplace safety and workplace violence and the need for, or benefit of, developing a comprehensive policy on violence in the workplace that consolidates and supplements existing provisions of law in order to improve safety and reduce violence in the workplace;

2. The need for, or benefit of, requiring the use of "panic buttons" or other security systems in businesses open beyond regular business hours;

3. The need for, or benefit of, requiring the posting of laws and policies relating to workplace safety and workplace violence in all places of employment; and

4. The need for, or benefit of, requiring notification to employees of laws and policies relating to workplace safety and workplace violence and education and training regarding workplace safety and workplace violence for all employees, particularly new employees, and management; and be it further

**Sec. 3. Report. Resolved:** That the task force under section 1, assisted by the Department of Labor, shall submit a report to the joint standing committee of the Legislature having jurisdiction over labor matters by January 15, 2007 regarding the study conducted pursuant to this resolve. The report must include findings, recommendations and any proposed implementing legislation. The joint standing committee of the Legislature having jurisdiction over labor matters may report out legislation relating to the subject matter of the study to the First Regular Session of the 123rd Legislature.

See title page for effective date.

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## CHAPTER 168

H.P. 1473 - L.D. 2082

### **Resolve, Directing the Secretary of State To Establish a Task Force To Develop a Plan for the Maine State Cultural Building in Augusta**

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

**Whereas,** the Maine State Cultural Building is experiencing a severe shortage of archive space and physical building damage that could lead to the loss of cultural artifacts, books and archived records; and

**Whereas,** the task force established in this resolve will need time to develop options for the improvement of the Maine State Cultural Building and to investigate funding sources; 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. Secretary of State directed to establish task force to develop plan for cultural building in Augusta. Resolved:** That the Secretary of State shall establish a task force to develop a plan for the Maine State Cultural Building. The task force shall include representatives from the Capitol Planning Commission; the Maine Historic Preservation Commission; the Maine State Library; the Maine State Museum; the Maine State Archives; the Department of Administrative and Financial Services, Bureau of General Services; the University of Maine System; the City of Augusta; the Maine Archives and Museums Association; the Maine Library Association; and other individuals or organizations with a demonstrated interest in the cultural affairs of the State; and be it further

**Sec. 2. Task force duties. Resolved:** That the task force established in section 1 shall examine and make recommendations regarding the following issues concerning the Maine State Cultural Building:

1. Space limitations, mechanical problems, energy inefficiencies and physical deterioration;
2. The possibility of constructing a new building;
3. Obtaining federal sources of funds to be used for upgrading and expanding cultural facilities in Augusta;
4. Obtaining private sources of funds to be used for upgrading and expanding cultural facilities in Augusta; and
5. Ways for the State to work collaboratively with universities to develop cooperative agreements to meet the cultural needs of the State.

Recommendations for building and grounds improvements must be consistent with the Capitol Planning Commission master plan and rules; and be it further