

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-THIRD LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 6, 2006 to June 21, 2007**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 20, 2007**

**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**  
**2007**

the motion of either party, for sufficient cause, the court may set a later hearing on the issue of the amount of damages, if any, to be awarded;

L. Ordering the defendant or, if the complaint is dismissed, the plaintiff to pay court costs or reasonable attorney's fees;

M. Entering any other orders determined necessary or appropriate in the discretion of the court; or

N. Directing the care, custody or control of any animal owned, possessed, leased, kept or held by either party or a minor child residing in the household.

If the court enjoins the defendant under this subsection and the enjoined conduct constitutes harassment under Title 17-A, section 506-A, the court shall include in the order a warning in conformity with Title 17-A, section 506-A.

See title page for effective date.

## CHAPTER 341

### S.P. 312 - L.D. 995

#### **An Act To Reduce the Expense of Health Care Treatment and Protect the Health of Maine Citizens by Providing Early Screening, Detection and Prevention of Cancer**

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

**Sec. 1. 22 MRSA §1407**, as enacted by PL 2003, c. 215, §1, is amended to read:

#### **§1407. Comprehensive cancer prevention, research and treatment**

**1. Program established.** The Bureau of Health shall establish a cancer prevention and control program to provide leadership for and coordination of cancer prevention, research and treatment activities. The program may include, but is not limited to:

A. Monitoring cancer prevalence at the state and community levels through the cancer-incidence registry under section 1404 and other means;

B. Education and training of health professionals on the current methods of diagnosing and treating cancer;

C. Patient and family education on how to manage the disease and the treatment of the disease; ~~and~~

D. Consultation with and support of community-based cancer prevention, research and treatment programs; ~~and~~

E. Implementation of a comprehensive cancer screening, detection and prevention program.

**2. Consultation.** In implementing the program established in subsection 1, the Bureau of Health shall consult with the Medicaid program administered by the department and with the Department of Education. In addition, the bureau shall seek advice from other organizations and private entities concerned with cancer prevention, research and treatment.

**3. Funding.** The Bureau of Health may accept federal funds and grants for implementing the program established in subsection 1 and may contract for work with outside vendors or individuals.

**4. Comprehensive Cancer Screening, Detection and Prevention Fund; funding.** The Comprehensive Cancer Screening, Detection and Prevention Fund is established within the department to fund or assist in funding the comprehensive cancer screening, detection and prevention program should it be established pursuant to subsection 1, paragraph E. Any balance in the fund does not lapse but is carried forward to be expended for the same purposes in succeeding fiscal years. The fund must be deposited with and maintained and administered by the department. The fund may receive funds from any non-General Fund source, including grants or contributions of money from the public or private sector, to carry out the purposes of subsection 1, paragraph E.

**5. Rulemaking.** The Bureau of Health shall adopt rules to carry out the purposes of this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 2. Maine cancer plan implementation.** The Department of Health and Human Services shall, contingent upon availability of funding, establish a comprehensive cancer screening, detection and prevention program pursuant to the Maine Revised Statutes, Title 22, section 1407, subsection 1, paragraph E based on the implementation strategy developed by the Maine Cancer Consortium for The Maine Comprehensive Cancer Control Plan 2006-2010.

**Sec. 3. Appropriations and allocations.** The following appropriations and allocations are made.

#### **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**

#### **Comprehensive Cancer Screening, Detection and Prevention Fund Z054**

Initiative: Provides a base allocation in the event that funds are received to fund the comprehensive cancer screening, detection and prevention program.

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
All Other	\$500	\$500
OTHER SPECIAL	\$500	\$500
REVENUE FUNDS TOTAL		

See title page for effective date.

## CHAPTER 342 S.P. 601 - L.D. 1694

### An Act To Establish the Publicly Supported Private Secondary School Advisory Council

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

**Sec. 1. 5 MRSA §12004-I, sub-§13-A** is enacted to read:

#### 13-A.

Education	Publicly Supported Private Secondary School Advisory Council	Not Authorized	20-A MRSA §3061
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**Sec. 2. 20-A MRSA c. 117, sub-c. 5** is enacted to read:

#### SUBCHAPTER 5

### PUBLICLY SUPPORTED PRIVATE SECONDARY SCHOOL ADVISORY COUNCIL

#### §3061. Publicly Supported Private Secondary School Advisory Council

The Publicly Supported Private Secondary School Advisory Council is established within the department to advise the commissioner and the Legislature on matters related to the development of policies concerning the education of public tuition students at publicly supported private secondary schools. For the purposes of this subchapter, "publicly supported private secondary school" means a private secondary school approved for the receipt of funds under sections 2951 and 2955 that enrolls 60% or more publicly funded students, but does not include special purpose private schools requiring approval pursuant to the State's special education rules.

**1. Members.** The Publicly Supported Private Secondary School Advisory Council, established under Title 5, section 12004-I, subsection 13-A and referred to in this subchapter as "the council," consists of the commissioner or the commissioner's designee and 7 members appointed by the Governor:

A. Three heads of publicly supported private secondary schools nominated by a statewide association representing publicly supported private secondary schools;

B. A trustee of a publicly supported private secondary school;

C. An elected member of a school board for a school administrative unit served by a publicly supported private secondary school; and

D. Two representatives of a statewide association of public school superintendents, nominated by that association, who have at least 2 years' experience working with a publicly supported private secondary school.

**2. Duties.** The council shall:

A. Provide advice to the commissioner regarding all rules and legislation proposed by the commissioner that refer or relate to publicly supported private secondary schools;

B. Facilitate communication among publicly supported private secondary schools, the department and school superintendents; and

C. Meet no less than twice each year to perform its duties.

**3. Quorum.** Four members of the council constitute a quorum.

**4. Terms of office.** Except for initial appointees and the commissioner or the commissioner's designee, each member serves for a term of 3 years or until the member's successor has been appointed. Except for the commissioner or the commissioner's designee, a member may not serve more than 2 consecutive terms. In the case of a vacancy for any reason, the Governor shall appoint a member representing the same interest to fill the unexpired term.

**Sec. 3. Staggered terms.** Notwithstanding the Maine Revised Statutes, Title 20-A, section 3061, subsection 4, initial appointments made to the Public Supported Private Secondary School Advisory Council are as set out in this section.

1. Of the 3 appointments made under Title 20-A, section 3061, subsection 1, paragraph A, one is for a term of one year, one for 2 years and one for 3 years.

2. The appointment made under Title 20-A, section 3061, subsection 1, paragraph B is for a term of 2 years.