

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2008 to June 13, 2009

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 12, 2009

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

Augusta, Maine
2009

tions associated with the transfer of the site, shall establish and convene a stakeholder group to guide reuse, assist in crafting a request for qualifications to be issued by the Department of Administrative and Financial Services and review qualifications of developers. The stakeholder group must have representation from interested parties, unless they decline to participate, including City of Hallowell officials, any school administrative unit that includes the City of Hallowell, the members of the Legislature whose districts include the parcel, the Maine Historic Preservation Commission, the Department of Administrative and Financial Services and others as determined by the commissioner. A subgroup of the stakeholders may participate in whole or in part in interviews of qualified developers scheduled as part of the request for qualifications process and review parameters for development, recognizing that the selection decision is under the authority of the commissioner; and be it further

Sec. 2. Specific transactions. Resolved: That nothing in this resolve may be construed to prohibit or require parcelization or multiple real estate transactions within the spirit and intent of and conditions described in section 1; and be it further

Sec. 3. Report. Resolved: That the Commissioner of Administrative and Financial Services shall provide a written report on the status of all efforts toward sale or transfer by February 1, 2010 to the Joint Standing Committee on State and Local Government.

See title page for effective date.

CHAPTER 103

H.P. 1014 - L.D. 1462

Resolve, Regarding Legislative Review of Portions of Chapter 3: Maine Clean Election Act and Related Provisions - Increase of Seed Money to \$150,000, a Major Substantive Rule of the Commission on Governmental Ethics and Election Practices

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

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 3: Maine Clean Election Act and Related Provisions - increase of seed money to \$150,000, a provisionally adopted major substantive rule of the Commission on Governmental Ethics and Election Practices that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is not authorized.

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

Effective June 8, 2009.

CHAPTER 104

S.P. 493 - L.D. 1358

Resolve, To Study Implementation of Shared Decision Making To Improve Quality of Care and Reduce Unnecessary Use of Medical Services

Sec. 1. Implementation of shared decision making. Resolved: That the Maine Quality Forum shall convene an advisory group of stakeholders, including, but not limited to, representatives of MaineCare, the Maine Health Data Organization, the state employee health insurance program, health insurance carriers, hospitals, physicians, health care providers and consumers, to develop a plan to implement a program for shared decision making as a strategy to improve the quality of health care in the State and control the unnecessary use of preference-sensitive health care services. The advisory group shall consider the following issues:

1. The appropriate preference-sensitive health care services for use in a shared decision-making program and an accepted protocol for shared decision making;
2. The availability of approved patient decision aids relating to each health care service and the effectiveness of patient decision aids;

3. The payment method to be used by health insurance carriers and public programs to reimburse for services provided by a shared decision-making program;

4. The appropriate incentives to encourage use of a shared decision-making program by providers and patients;

5. Evidence-based studies that evaluate shared decision making; and

6. Any barriers to implementation of a shared decision-making program; and be it further

Sec. 2. Report. Resolved: That the Maine Quality Forum shall submit a preliminary report on the findings and recommendations of the advisory group on or before February 1, 2010 to the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Insurance and Financial Services. Before February 1, 2011, the Maine Quality Forum shall submit a final report to the joint standing committee of the Legislature having jurisdiction over health and human services matters and the joint standing committee of the Legislature having jurisdiction over insurance and financial services matters. The joint standing committee of the Legislature having jurisdiction over health and human services matters and the joint standing committee of the Legislature having jurisdiction over insurance and financial services matters may each report out a bill to the First Regular Session of the 125th Legislature based on the final report.

See title page for effective date.

CHAPTER 105

H.P. 702 - L.D. 1027

Resolve, To Examine Concepts and Competencies from Family and Consumer Science for Achieving Educational Goals

Sec. 1. Integration of family and consumer science. Resolved: That prior to or during the course of the next review cycle of content standards and performance indicators required under the Maine Revised Statutes, Title 20-A, section 6209, subsection 4, the Commissioner of Education shall invite one or more persons certified to teach family and consumer science to participate in a working group. The commissioner shall invite others to participate in the working group based on their interest in or expertise or familiarity with Maine's system of learning results. The purpose of the working group is to:

1. Examine concepts and competencies included in the National Standards for Family and Consumer Sciences Education developed by the National Asso-

ciation of State Administrators of Family and Consumer Sciences;

2. Determine the suitability of one or more of the national standards or variations on these standards for inclusion as performance indicators within one or more of the content areas comprising the system of learning results; and

3. Develop recommendations for the integration of family consumer science descriptors into the parameters for essential instruction.

Participation in the working group does not entitle a person to receive monetary compensation or reimbursement for expenses from the Department of Education; and be it further

Sec. 2. Advise Commissioner of Education; report to Joint Standing Committee of Education and Cultural Affairs. Resolved: That the working group shall advise to the commissioner of its recommendations. The commissioner shall report to the Joint Standing Committee of Education and Cultural Affairs by letter or in person no later than April 1, 2010 to provide the names of people invited to participate in the working group and a brief work plan and timeline for the group.

See title page for effective date.

CHAPTER 106

H.P. 784 - L.D. 1140

Resolve, Directing the Department of Education and the Department of Agriculture, Food and Rural Resources To Convene a Work Group To Strengthen Farm-to-school Efforts in the State

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

Whereas, farm-to-school initiatives are effective and innovative approaches to help youth eat healthier and more nutritious foods, improve academic performance, introduce learning opportunities with regard to food production and preparation and provide hands-on experiential education; and

Whereas, farm-to-school initiatives help preserve working farmland, invigorate local economies, rebuild and revitalize communities, promote environmental stewardship and realize the goals of the State's food policy; and