

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 1, 2010 to June 29, 2011**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 28, 2011**

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

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**Augusta, Maine**  
**2011**

1. Information regarding models used in other states, including New Hampshire, for independent administration of public guardianship;

2. Recommendations for the model the group determines is the most appropriate for implementation in this State;

3. A work plan for transition to the new model to begin July 1, 2012;

4. Necessary statutory changes and the fiscal implications of those changes to enable the implementation of this model; and

5. The feasibility of merging the correspondent program overseen by the Maine Developmental Services Oversight and Advisory Board under the Maine Revised Statutes, Title 34-B, section 1223 with public guardianship responsibilities under the proposed model; and be it further

**Sec. 3. Report to the Commissioner of Health and Human Services. Resolved:** That the council shall report the working plan of the program to the Joint Standing Committee on Health and Human Services by January 15, 2012, with suggested implementing legislation. The joint standing committee may submit a bill to the Second Regular Session of the 125th Legislature.

See title page for effective date.

## CHAPTER 81

### H.P. 1102 - L.D. 1501

#### Resolve, To Reduce Opioid Overprescription, Overuse and Abuse

**Sec. 1. Work group on prescribing opioid drugs for chronic, noncancer-related pain.**

**Resolved:** That the Substance Abuse Services Commission, as established in the Maine Revised Statutes, Title 5, section 12004-G, subsection 13-C and referred to in this resolve as "the commission," shall convene a work group of commission members and public and private stakeholders, referred to in this resolve as "the work group," to review and make recommendations for improvements in how physicians and other prescribers treat patients in chronic, noncancer-related pain without causing addiction or diversion.

**1. Tasks.** The work group's tasks include, but are not limited to:

A. Review of current efforts in the State aimed at preventing addiction and diversion;

B. Examination of similar efforts in other states, including Washington State, which in 2010 enacted comprehensive legislation on this subject;

C. Consideration of additional tools that could lead to decreased abuse while not unduly restricting access to adequate pain control; and

D. Consideration of enhancements to the Controlled Substances Prescription Monitoring Program established in the Maine Revised Statutes, Title 22, section 7248.

**2. Chair; membership.** The commission shall appoint a chair of the work group from among the work group members. The membership of the work group must include representatives appointed or invited to participate by the commission from all of the following state agencies, advocacy organizations and the public:

A. Licensing boards of licensees who prescribe narcotics;

B. Representatives of professional associations representing the major health professions that prescribe controlled substances;

C. The Maine Hospice Council, established in the Maine Revised Statutes, Title 22, section 8611;

D. Representatives of licensed pharmacies; and

E. Representatives of the Department of Health and Human Services, Office of MaineCare Services, the Maine Hospital Association, specialists in substance abuse treatment and services, specialists in the treatment of addiction and specialists in the treatment of pain.

**3. Funding.** The commission shall fund the work of the work group from within existing resources.

**4. Report.** The commission shall report the findings and any recommendations of the work group to the Joint Standing Committee on Health and Human Services not later than December 1, 2011.

See title page for effective date.

## CHAPTER 82

### H.P. 563 - L.D. 756

#### Resolve, To Examine Cyber Security and Privacy Issues Relating to Smart Meters

**Sec. 1. Examination of cyber security and privacy issues relating to smart meters. Resolved:**

That the Public Utilities Commission shall examine current cyber security and privacy requirements that exist under federal and state law, rules and utility policies and practices that apply to transmission

and distribution utilities and identify potential regulatory gaps that may exist by examining the extent to which existing federal requirements may or may not apply to cyber security and privacy issues regarding smart meters and related systems. To the extent regulatory gaps exist, the commission shall develop recommendations to address them. As part of this examination, the commission also shall consider issues related to access to customer data and the disclosure of transmission and distribution utility residential electric energy consumption and cost information pursuant to the Maine Revised Statutes, Title 14, section 6045; and be it further

**Sec. 2. Monitor federal cyber security initiative. Resolved:** That the Public Utilities Commission shall actively monitor the efforts by the United States Department of Energy to launch a cyber security initiative to enhance cyber security on the electric grid with input from the Federal Energy Regulatory Commission, the United States Department of Homeland Security and publicly and privately owned utilities; and be it further

**Sec. 3. Report. Resolved:** That the Public Utilities Commission shall report the results of its examination and recommendations required pursuant to section 1 and the progress of the federal cyber security initiative as it applies to smart meters and related systems under section 2 to the Joint Standing Committee on Energy, Utilities and Technology by January 15, 2012. The Joint Standing Committee on Energy, Utilities and Technology may submit a bill to the Second Regular Session of the 125th Legislature based on the report.

See title page for effective date.

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**CHAPTER 83**

**S.P. 295 - L.D. 949**

**Resolve, To Require  
the Department of  
Education To Submit a Plan  
for the Implementation of  
Standards-based Education**

**Sec. 1. Plan to implement standards-based education. Resolved:** That the Department of Education shall submit a report to the Joint Standing Committee on Education and Cultural Affairs by December 1, 2011 consisting of:

1. Draft legislation to require that, in order to graduate from high school after January 1, 2016, a student must:

A. Demonstrate proficiency in meeting state standards in all 8 content areas of the system of

learning results established in the Maine Revised Statutes, Title 20-A, section 6209;

B. Demonstrate proficiency in each of the 5 guiding principles outlined in the Department of Education Rule Chapter 132, Learning Results: Parameters for Essential Instruction; and

C. Meet other locally developed requirements to graduate from high school not inconsistent with state requirements.

The legislation must also include any changes necessary to conform current state law to the needs of schools engaged in standards-based education, including allowing students to graduate from high school in more or fewer than 4 years;

2. An outline of rules or additional guidance that the department may propose to more fully develop the requirements for awarding a high school diploma, including guidance regarding how schools are to track and report student mastery of standards and how schools are to ensure the validity of student assessments; and

3. A proposed system of technical assistance for schools in implementing standards-based education, which may include development of training guides and other resources, the collection and sharing of rubrics and other materials and coordination and support for professional development, including professional learning communities that involve educators who are already engaged in standards-based education. The department must include proposed timelines for implementation of the proposed system of technical assistance; and be it further

**Sec. 2. Report. Resolved:** That, in preparing its report under section 1, the Department of Education shall consult with teachers and administrators with experience in standards-based education, as well as the education associations in the State, for advice on determining the needs of educators and on developing a plan for joint efforts to achieve the goal of ensuring that students graduating from high schools in the State are proficient in all 8 content areas of the system of learning results established in the Maine Revised Statutes, Title 20-A, section 6209 and in each of the 5 guiding principles outlined in the Department of Education Rule Chapter 132. The Joint Standing Committee on Education and Cultural Affairs is authorized to report out a bill to the Second Regular Session of the 125th Legislature related to the recommendations included in this report.

See title page for effective date.

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