

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2012 to July 10, 2013

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 9, 2013

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

Augusta, Maine
2013

Legislature having jurisdiction over veterans and legal affairs, including a summary of all sexual assault and rape incidents, their status and the outcomes, including the duty status of adjudicated and administratively dismissed military offenders and military victims; and

14. Development of a policy to ensure convicted felons who meet national sex offender registry requirements are placed on that registry.

Nothing in this section prohibits the Adjutant General from considering other provisions of federal law that relate to prosecution and punishment of members of the Maine National Guard who have been accused of sexual assault in the military and the treatment of members of the Maine National Guard who are victims of sexual assault; and be it further

Sec. 2. Report. Resolved: That, no later than February 15, 2014, the Adjutant General shall submit a report to the Joint Standing Committee on Veterans and Legal Affairs describing the results of the assessment described in section 1. The report must include recommendations for legislation to make provisions of the Maine Code of Military Justice and other provisions of the Maine Revised Statutes, Title 37-B that deal with military personnel comparable to provisions of federal law that address the issue of sexual assault in the military. The Joint Standing Committee on Veterans and Legal Affairs is authorized to report out a bill based on the report to the Second Regular Session of the 126th Legislature.

See title page for effective date.

CHAPTER 67
H.P. 540- L.D. 789

Resolve, To Establish the Task Force on Milk Tier Pricing

Sec. 1. Task force established. Resolved: That the Task Force on Milk Tier Pricing, 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 11 members, one of whom is the Executive Director of the Maine Milk Commission. The Executive Director of the Maine Milk Commission shall invite the following to participate as members of the task force:

1. The Executive Director of the Maine Dairy Industry Association;
2. One representative of a large milk processor;
3. One representative of a small milk processor, giving preference to an organic milk processor;
4. One representative of a Maine milk retailer;

5. One representative from each of the 4 milk pricing tiers;

6. One representative from the farm equipment industry; and

7. One representative from the grain industry; and be it further

Sec. 3. Compensation. Resolved: That members of the task force are not entitled to reimbursement for their expenses; and be it further

Sec. 4. Convening of commission; chair. Resolved: That all invitations to join the task force must be made to designated members no later than 30 days following the effective date of this resolve. The Executive Director of the Maine Milk Commission shall call and convene the first meeting of the task force, at which the members shall elect a chair from its members; and be it further

Sec. 5. Staffing. Resolved: That, within existing resources, the Department of Agriculture, Conservation and Forestry shall provide staffing to the task force; and be it further

Sec. 6. Duties. Resolved: That the task force shall study the current dairy stabilization tier program, established in the Maine Revised Statutes, Title 7, chapter 611, to determine if any modifications are necessary to ensure the effectiveness of the program; and be it further

Sec. 7. Report. Resolved: That, no later than December 4, 2013, the task force shall submit a report that includes its findings and recommendations, including suggested legislation, to the Joint Standing Committee on Agriculture, Conservation and Forestry. The committee is authorized to report out a bill to the Second Regular Session of the 126th Legislature based on the recommendations of the task force.

See title page for effective date.

CHAPTER 68
H.P. 488 - L.D. 716

Resolve, To Review and Make Recommendations on Appropriate Prescribing of Certain Medications for Children with Attention Deficit Hyperactivity Disorder That Are Reimbursed under the MaineCare Program

Sec. 1. Department of Health and Human Services work group. Resolved: That the Commissioner of Health and Human Services shall convene a work group to review and make recommenda-

tions on appropriate prescribing of certain medications for children with attention deficit hyperactivity disorder. The review must focus on stimulants and other medications with an indication from the United States Department of Health and Human Services, United States Food and Drug Administration for the treatment of children with attention deficit hyperactivity disorder and on their reimbursement through the MaineCare program.

1. The tasks of the work group include, but are not limited to, the following:

A. Gathering and reviewing data on the use of stimulant medications in children, including the diagnoses for which the drugs are prescribed and typical lengths of time that children receiving services from the Department of Health and Human Services or Child Development Services System through the Department of Education or the MaineCare program are prescribed stimulant medications;

B. Comparing the use of stimulant medications in the MaineCare and non-MaineCare populations and the costs of those medications;

C. Reviewing approaches that support prescribers in achieving evidence-based prescribing and monitoring practices, including academic detailing and telemedicine, and the work being done by the child psychiatry access program and the consultation project of the Maine Academy of Family Physicians and the Maine Association of Psychiatric Physicians;

D. Identifying methods of reimbursement and sources of funding, including grant funding and federal funding, to increase access to psychiatric services and reduce barriers to services; and

E. Making any recommendations for improvements in access to behavioral health and psychiatric services and in prescribing practices as determined to be appropriate by the work group.

2. The commissioner shall appoint as chair the person who serves as chair of the psychiatric work group of the MaineCare drug utilization review committee. The chair shall appoint the members. The work group must include key state employees, including representatives of the office within the Department of Health and Human Services providing MaineCare services and private sector stakeholders. The chair shall seek members of the public who are interested in the subject matter of the work group and members from the following entities and organizations: Goold Health Systems, the Maine Association of Psychiatric Physicians, the Maine Council on Child and Adolescent Psychiatry, the Maine Psychological Association, the Maine Children's Alliance, the Maine Developmental Disabilities Council and the academic detailing advisory committee convened by the Maine Medical

Association and the Department of Health and Human Services. The chair shall notify members of the Joint Standing Committee on Health and Human Services of the location, date and time of each meeting so that members may attend voluntarily and without reimbursement. The Department of Health and Human Services shall fund the work of the work group from within existing resources.

3. The Department of Health and Human Services shall report on the findings and recommendations of the work group by January 15, 2014 to the Joint Standing Committee on Health and Human Services.

See title page for effective date.

CHAPTER 69

H.P. 284 - L.D. 409

Resolve, To Establish a Veteran-to-farmer Training Pilot Program

Sec. 1. Veteran-to-farmer training pilot program. Resolved: That the Department of Agriculture, Conservation and Forestry and the University of Maine Cooperative Extension, in consultation with the agriculture program at Kennebec Valley Community College, the Maine Apprenticeship Program in the Department of Labor, the Finance Authority of Maine and the Department of Defense, Veterans and Emergency Management, Bureau of Veterans' Services, shall design a veteran-to-farmer training pilot program to enable veterans of the Armed Forces of the United States to develop necessary skills in farming while also addressing the difficulties some veterans face in their transition back to civilian life after military service. The pilot program designed under this resolve must:

1. Use existing programs and resources to the extent possible;

2. Establish a certificate program that provides a hands-on farming skills training curriculum, classroom-based business training, business start-up support and health monitoring for veterans; and

3. Enable veterans, upon completion of the certificate program under subsection 2, to create new farm businesses and to meet the requirements to acquire the leases and loans needed to farm.

After its design, the curriculum for the pilot program must be submitted to the United States Department of Veterans Affairs for approval in order to allow eligible veterans to use education benefits available pursuant to the federal Servicemen's Readjustment Act of 1944, as amended, for participation in the certificate program; and be it further