

# 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.**

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**Augusta, Maine**  
**2013**

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

**Whereas,** it is crucial to school safety to ensure the Department of Education has sufficient time to collect information and develop recommendations regarding school security by January 15, 2014; 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. Department of Education to examine school security. Resolved:** That the Department of Education shall gather information from school administrative units regarding the preparedness of schools to implement required emergency management plans and the present condition of school facilities in terms of facility security in the event of an emergency. The department, based on the information collected and in consultation with appropriate security experts, shall evaluate school preparedness and facility security and shall develop recommendations for prudent measures that may be taken to improve preparedness and facility security. The department shall report its findings and recommendations to the Joint Standing Committee on Education and Cultural Affairs by January 15, 2014. The department shall ensure that information collected or compiled relating to security plans, security procedures and risk assessments is protected from public disclosure in accordance with the Maine Revised Statutes, Title 1, section 402, subsection 3, paragraph L and is presented in its report in a manner that allows for assessment of deficiencies without revealing any information that could jeopardize the security of schools. The Joint Standing Committee on Education and Cultural Affairs may report out a bill relating to the subject matter of the report to the Second Regular Session of the 126th Legislature; and be it further

**Sec. 2. Appropriations and allocations. Resolved:** That the following appropriations and allocations are made.

**EDUCATION, DEPARTMENT OF  
School Finance and Operations Z078**

Initiative: Provides one-time funds for the costs associated with contracting with security experts to evaluate school preparedness and facility security.

GENERAL FUND	2013-14	2014-15
All Other	\$49,750	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$49,750</b>	<b>\$0</b>

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

Effective July 10, 2013.

**CHAPTER 77  
H.P. 1143 - L.D. 1574**

**Resolve, Establishing the  
Commission To Study the  
Incidence of and Mortality  
Related to Cancer**

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

**Whereas,** this legislation needs to take effect before the expiration of the 90-day period in order to allow this commission sufficient time to conduct its work; 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. Commission established. Resolved:** That the Commission To Study the Incidence of and Mortality Related to Cancer, referred to in this resolve as "the commission," is established; and be it further

**Sec. 2. Commission membership. Resolved:** That the commission consists of no more than 11 members as follows:

1. The President of the Senate shall appoint:
  - A. Two members of the Senate, including a member from each of the 2 parties holding the largest number of seats in the Legislature. The President of the Senate shall give preference in making one of the appointments to a member who serves on the Joint Standing Committee on Health and Human Services; and
  - B. One person representing a statewide public health organization;

2. The Speaker of the House of Representatives shall appoint:

- A. Three members of the House of Representatives, including members from each of the 2 parties holding the largest number of seats in the Legislature. The Speaker of the House shall give preference in making one of the appointments to a member who serves on the Joint Standing Committee on Health and Human Services; and

B. One person representing a statewide organization of medical professionals, one person representing a statewide voluntary nonprofit health organization that represents cancer patients, one person who possesses expertise in cancer research or epidemiology and one person who possesses expertise in the subject matter of the study; and

3. The Director of the Maine Center for Disease Control and Prevention within the Department of Health and Human Services or the director's designee; and be it further

**Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission; and be it further

**Sec. 4. Appointments; convening of commission. Resolved:** That all appointments must be made no later than 10 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. The chairs of the commission shall call and convene the first meeting of the commission within 15 days of the effective date of this resolve. If a majority of but not all appointments have been made within 10 days of the effective date of this resolve, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business; and be it further

**Sec. 5. Meetings. Resolved:** That the commission is authorized to meet up to 4 times to accomplish its duties; and be it further

**Sec. 6. Duties. Resolved:** That the commission shall review the State's above-average rates of cancer incidence and mortality and the State's current cancer prevention, detection and treatment goals and priorities.

The commission shall gather information and data from public and private entities as necessary to:

1. Identify or review the State's current priorities and goals to reduce the incidence of and mortality from cancer;
2. Identify the types of cancer with the highest incidence and mortality in the State, including the types of cancer whose incidence and mortality rates differ the most from national averages;
3. Identify the risk factors, including preventable lifestyle risk factors such as tobacco use, diet, exercise and obesity, related to high relative rates of the incidence of and mortality from cancer;
4. Identify the extent to which barriers to health care in the State contribute to cancer mortality;

5. Make recommendations for legislative strategies to reduce the State's cancer incidence and mortality; and

6. Make recommendations for how current state programs could further assist citizens through education and cancer prevention programs; and be it further

**Sec. 7. Cooperation. Resolved:** That the Commissioner of Health and Human Services and the Director of the Maine Center for Disease Control and Prevention within the Department of Health and Human Services, the Commissioner of Administrative and Financial Services and the Commissioner of Education, and any other relevant department, shall provide information and data to the commission as necessary for its work, within existing resources; and be it further

**Sec. 8. Staff assistance. Resolved:** That the Legislative Council may provide necessary staffing services to the commission; and be it further

**Sec. 9. Report. Resolved:** That, no later than December 4, 2013, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, to the Joint Standing Committee on Health and Human Services in the Second Regular Session of the 126th Legislature; and be it further

**Sec. 10. Outside funding. Resolved:** That the commission shall seek funding contributions to fund 50% of the costs of the study. All funding is subject to approval by the Legislative Council in accordance with its policies. If sufficient contributions to fund 50% of the study have not been received within 30 days after the effective date of this resolve, no meetings are authorized and no expenses of any kind may be incurred or reimbursed.

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

Effective July 16, 2013.

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**CHAPTER 78**

**S.P. 331 - L.D. 986**

**Resolve, To Establish the  
Commission To Study  
Long-term Care Facilities**

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

**Whereas,** it is necessary that this legislation take effect immediately in order to allow sufficient time for