

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND AND FOURTEEN

H.P. 1293 - L.D. 1801

An Act To Eliminate Inactive Boards and Commissions

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

Sec. 1. 4 MRSA §191, as amended by PL 2011, c. 204, §1, is repealed.

Sec. 2. 4 MRSA §192, as enacted by PL 1981, c. 510, §1, is amended to read:

§192. Personnel

The State Court Administrator shall employ, ~~subject to the approval of the State Court Library Committee~~, and shall supervise a professionally trained person, who ~~shall~~ is designated the State Court Library Supervisor. The supervisor ~~shall have~~ has general supervision of the professional functions of all county law libraries, and shall visit all libraries whenever necessary, meet with county law library committees, coordinate activities with the court administrator's offices, advise staff members of the clerks of courts and carry out any additional duties assigned by the State Court ~~Library Committee~~ Administrator.

The law libraries in locations without employees ~~shall be~~ are maintained by the offices of the clerks of courts and the duties of each clerk's office ~~shall be~~ are specified by the State Court Administrator, ~~subject to the approval of the State Court Library Committee~~.

Sec. 3. 4 MRSA §193, as amended by PL 2011, c. 204, §2, is further amended to read:

§193. System of law libraries

There must be a system of law libraries accessible to all citizens within the State, ~~under the supervision of the State Court Library Committee~~.

These libraries must be located in:

Androscoggin County, Auburn;

Aroostook County, Caribou;
Aroostook County, Houlton;
Cumberland County, Portland;
Franklin County, Farmington;
Hancock County, Ellsworth;
Kennebec County, Augusta;
Knox County, Rockland;
Lincoln County, Wiscasset;
Oxford County, South Paris;
Penobscot County, Bangor;
Piscataquis County, Dover-Foxcroft;
Sagadahoc County, Bath;
Somerset County, Skowhegan;
Waldo County, Belfast;
Washington County, Machias; and
York County, Alfred.

All funds appropriated by the Legislature for the use and benefit of the law libraries must be paid to the Administrative Office of the Courts and must be disbursed by that office ~~under the direction of the State Court Library Committee.~~

The libraries located at Bangor and Portland are to serve as regional court law library centers. The State Court ~~Library Committee~~ Administrator or the State Court Administrator's designee shall allocate specific funds, in addition to the resources received by the other law libraries, to the regional court law library centers in Bangor and Portland to purchase legal resources, library equipment and supplies and necessary personnel. Both regional court libraries must receive the same funds.

All other law libraries must have access to the regional court law library centers for the resources not available locally.

Sec. 4. 4 MRSA §194, as enacted by PL 1981, c. 510, §1, is repealed.

Sec. 5. 4 MRSA §196, as amended by PL 2001, c. 250, §4, is further amended to read:

§196. Duties, county committee

The County Law Library Committee shall, ~~in conjunction with the State Court Library Committee,~~ establish local operating policies, such as, but not limited to, hours, circulation policies and photocopy privileges. Each county committee shall exercise supervision over the expenditures of private and nonstate funds, including endowments,

and may use those funds to upgrade its county law library. Each county committee shall determine space requirements, ~~with the advice and assistance of the State Court Library Committee.~~

Sec. 6. 4 MRSA §197, 2nd ¶, as amended by PL 1981, c. 698, §4, is further amended to read:

The treasurer shall, annually, before the last Wednesday in July, deposit in the office of the State Court ~~Library Committee~~ Administrator a statement of the funds received and expended by the treasurer during the preceding fiscal year.

Sec. 7. 5 MRSA §12004-G, sub-§23, as enacted by PL 1987, c. 786, §5, is repealed.

Sec. 8. 5 MRSA §12004-I, sub-§18-C, as enacted by PL 2001, c. 358, Pt. II, §1 and amended by PL 2003, c. 20, Pt. TT, §1, is repealed.

Sec. 9. 5 MRSA §12004-I, sub-§47-H, as enacted by PL 2011, c. 412, §1, is repealed.

Sec. 10. 5 MRSA §12004-I, sub-§74-E, as enacted by PL 2007, c. 377, §3, is repealed.

Sec. 11. 5 MRSA §12006, sub-§3, ¶H, as enacted by PL 2009, c. 369, Pt. A, §17, is amended to read:

H. State House and Capitol Park Commission, as established in Title 3, section 901-A; ~~and~~

Sec. 12. 5 MRSA §12006, sub-§3, ¶I, as enacted by PL 2009, c. 369, Pt. A, §18, is amended to read:

I. Maine Agricultural Bargaining Board, as established in Title 13, section 1956-; and

Sec. 13. 5 MRSA §12006, sub-§3, ¶J is enacted to read:

J. Blaine House Commission.

Sec. 14. 20-A MRSA §19102, sub-§2, as amended by PL 2001, c. 358, Pt. II, §3 and PL 2003, c. 20, Pt. TT, §1, is further amended to read:

2. Learning technology plan. The use of the fund must be based on a learning technology plan, referred to in this section as the "plan," developed annually beginning for school year 2002-03 by the commissioner ~~with the advice of the advisory board established under section 19109~~ and adopted by the Legislature. The annual plan must be designed to achieve the goal of preparing students for a future economy that relies on technology and innovation.

The plan developed annually by the commissioner ~~and the advisory board~~ must include, but is not limited to, consideration of the following:

- A. The appropriate structure, governance and oversight of the fund;
- B. The current use of learning technology in classrooms in the State;
- C. The current readiness of faculty to use technology in teaching;
- D. The professional development needed to integrate technology into classroom teaching;
- E. Assessment of the strategy and goals for improving and equalizing access to and the use of learning technology in all schools;
- F. A plan for implementing the plan in several phases, with Phase I implementing the plan for all schools, students and teachers at the 7th and 8th grade levels;
- G. Strategies that coordinate the resources and goals of the fund and the plan with a network of schools and libraries in the State administered by the Public Utilities Commission and the telecommunications education access fund;
- H. Strategies that coordinate learning technology in kindergarten to grade 12 education with initiatives and resources of the State's postsecondary education institutions; and
- I. Data tracking and assessment of the progress of implementing the goals of the fund and the plan.

Sec. 15. 20-A MRSA §19102, sub-§4, as enacted by PL 2011, c. 380, Pt. CC, §1, is amended to read:

4. Learning technology program; evaluation for implementation in grades 7 to 12. Notwithstanding any other provision of law, the commissioner shall conduct an annual comprehensive review of the learning technology program and report to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over education matters on the progress and results of the comprehensive review by February 15th annually. In conducting the comprehensive review, the commissioner shall:

- A. Through a competitive bidding process consistent with Title 5, chapter 155, subchapter 1-A contract with an education policy research institute to assess the effect of the laptop program on student performance in achieving the content standards and performance indicators established by the statewide system of learning results established in section 6209 using valid, standardized assessment measures;
- B. Identify high-need areas for improvements in students' learning and skills;
- C. Provide targeted training and professional development of teachers from the 7th to 12th grade who participate in the laptop program; and
- D. Contract with an education policy research institute to conduct a biennial audit including an evaluation of the costs, effectiveness and achievement outcomes of the learning technology program.

The commissioner, ~~with advice from the advisory board~~, shall submit a report that includes findings and recommendations, including suggested legislation to revise and

update chapter 606-B and this chapter, for presentation to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over education matters by January 31st annually.

Sec. 16. 20-A MRSA §19103, sub-§2, as enacted by PL 2001, c. 358, Pt. II, §4 and amended by PL 2003, c. 20, Pt. TT, §1, is further amended to read:

2. Fundraising plan. The commissioner and the Commissioner of Administrative and Financial Services shall, for the duration of the fund, identify and submit grant and fundraising proposals in support of the priorities of the learning technology plan established pursuant to section 19102 to federal, corporate, foundation or other 3rd-party sources as appropriate.

~~In conjunction with the advisory board established under section 19109, the~~ The commissioner and the Commissioner of Administrative and Financial Services shall develop a plan for fundraising and identifying grant sources that is designed to raise sufficient funds to enable the learning technology plan to expand to the secondary school level. The fundraising plan must identify specific funding sources, as appropriate, timelines and an assessment of the probability of success.

In order to preserve the integrity of the educational purposes of the learning technology plan, all fundraising and grant proposals must be consistent with the goals and terms of the learning technology plan. The commissioner and the Commissioner of Administrative and Financial Services ~~in conjunction with the advisory board established under section 19109~~ shall develop any necessary guidelines for fundraising and grant proposals in order to carry out this requirement.

Sec. 17. 20-A MRSA §19105, sub-§1, as enacted by PL 2001, c. 358, Pt. II, §6, is amended to read:

1. Annual plan recommendation. Prior to December 15th of each year, the commissioner, after consultation with ~~the advisory board established under section 19109~~ ~~and~~ the Commissioner of Administrative and Financial Services and after receiving the approval of the state board, shall recommend to the Governor and the Department of Administrative and Financial Services, Bureau of the Budget the funding level for implementing the annual learning technology plan.

Sec. 18. 20-A MRSA §19108, sub-§2, as enacted by PL 2001, c. 358, Pt. II, §6, is repealed.

Sec. 19. 20-A MRSA §19109, as enacted by PL 2001, c. 358, Pt. II, §6 and amended by PL 2003, c. 20, Pt. TT, §1, is repealed.

Sec. 20. 20-A MRSA §19110, as enacted by PL 2001, c. 358, Pt. II, §6, is repealed.

Sec. 21. 22 MRSA §2175, sub-§§1 to 3, as amended by PL 2011, c. 587, §1, are further amended to read:

1. Program established; training approval. The Maine Wild Mushroom Harvesting Certification Program is established to ensure that properly trained persons harvest, broker and sell wild mushrooms in order to protect public health and the safety of the food supply. The program is administered by the Department of Health and Human Services for the purpose of establishing training and certification requirements for persons who commercially harvest, broker or sell wild mushrooms in this State. The Commissioner of Health and Human Services shall approve training programs provided by persons or entities outside the department ~~in accordance with the recommendations of the Maine Wild Mushroom Harvesting Advisory Committee under subsection 5.~~

2. Certification of wild mushroom harvesters, brokers or sellers. The Commissioner of Health and Human Services, ~~upon consultation with the Maine Wild Mushroom Harvesting Advisory Committee under subsection 5,~~ shall certify persons with appropriate training in mushroom harvesting, brokering or selling to sell, transfer or otherwise deliver wild mushrooms within the State. Certification is valid for a period not to exceed 5 years, unless the Department of Health and Human Services, by rule, establishes another certification period.

3. Refusal to certify; revocation of certification. The Department of Health and Human Services may decline to certify any person determined to lack the appropriate training to safely harvest, broker or sell wild mushrooms, ~~in accordance with recommendations of the Maine Wild Mushroom Harvesting Advisory Committee under subsection 5 and~~ rules adopted by the Department of Health and Human Services pursuant to this section. The Department of Health and Human Services may revoke, in accordance with the Maine Administrative Procedure Act, the certification of any person ~~in accordance with recommendations of the Maine Wild Mushroom Harvesting Advisory Committee and~~ rules adopted by the Department of Health and Human Services pursuant to this section.

Sec. 22. 22 MRSA §2175, sub-§4-A is enacted to read:

4-A. Advisory role of Director of the Maine Center for Disease Control and Prevention. The Director of the Maine Center for Disease Control and Prevention within the Department of Health and Human Services shall advise the Commissioner of Health and Human Services on the following:

A. Certification of individuals who have completed approved training to engage in the harvesting, brokering or selling of wild mushrooms in this State; and

B. Wild mushroom harvesting training programs and certification.

Sec. 23. 22 MRSA §2175, sub-§5, as amended by PL 2011, c. 587, §1 and c. 657, Pt. W, §5, is repealed.

Sec. 24. 34-A MRSA §1209-A, as amended by PL 2007, c. 653, Pt. A, §§21 to 24, is repealed.

Sec. 25. 34-A MRSA §1803, sub-§5, ¶B, as enacted by PL 2007, c. 653, Pt. A, §30, is repealed.