

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-THIRD LEGISLATURE**

**SECOND REGULAR SESSION**  
**January 2, 2008 to March 31, 2008**

**FIRST SPECIAL SESSION**  
**April 1, 2008 to April 18, 2008**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 30, 2008**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 18, 2008**

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

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2008**

section 1536 and the transfer pursuant to Public Law 2007, chapter 240, Part MM.

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

Effective April 24, 2008.

## CHAPTER 701

### H.P. 1667 - L.D. 2307

#### An Act To Restore Positions in the Office of Program Evaluation and Government Accountability

**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 provides funds to restore positions that were eliminated in Public Law 2007, chapter 539, which takes effect June 30, 2008; 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 enacted by the People of the State of Maine as follows:**

**Sec. 1. PL 2007, c. 539, Pt. LLLL, §1** is repealed and the following enacted in its place:

**Sec. LLLL-1. Governmental oversight; recommendations.** The Director of the Office of Program Evaluation and Government Accountability shall:

1. Work with relevant offices and agencies, including the Office of Fiscal and Program Review, the Office of Policy and Legal Analysis, the State Controller and the State Auditor, to facilitate the sharing of resources and coordination of program review across State Government in order to maintain and strengthen program evaluation function; and

2. Recommend to the Government Oversight Committee performance standards to maximize the effectiveness of the Office of Program Evaluation and Government Accountability in carrying out its mission to improve the effectiveness, efficiency and economic use of resources of State Government.

**Sec. 2. PL 2007, c. 539, Pt. LLLL, §2** is amended to read:

#### **Sec. LLLL-2. Legislative account; lapsed balances; Office of Program Evaluation and Government Accountability - General Fund.**

Notwithstanding any other provision of law, \$16,517 of unencumbered balance forward in the Personal Services line category and ~~\$300,964~~ \$495,964 in the unencumbered balance forward in the All Other line category in the Office of Program Evaluation and Government Accountability General Fund account in the Legislature lapses to the General Fund in fiscal year 2008-09.

**Sec. 3. PL 2007, c. 539, Pt. LLLL, §3** is repealed.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect June 30, 2008.

Effective June 30, 2008.

## CHAPTER 702

### H.P. 1545 - L.D. 2171

#### An Act To Amend the Animal Welfare Laws

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

**Sec. 1. 7 MRSA §621,** as amended by PL 2005, c. 620, §21, is further amended by inserting after the first paragraph a new paragraph to read:

The State Controller is authorized to advance up to \$500,000 from the Board of Pesticides Control account to the Animal Welfare Fund during any state fiscal year if requested in writing by the commissioner. The funds must be used to meet expenditures of the animal welfare program within the department. The funds must be returned to the account before the close of the state fiscal year in which the advance was made.

**Sec. 2. 7 MRSA §714, sub-§1,** as amended by PL 2007, c. 459, §2, is further amended to read:

**1. Application for registration.** A person may not distribute in this State a commercial feed, except a customer-formula feed, that has not been registered pursuant to this section. The application for registration must be submitted in the manner prescribed by the commissioner on forms furnished by the commissioner. The annual fee is \$80 per product name for pet food ~~except that~~ and the total annual fee for a home-based manufacturer of pet food is ~~\$100~~ \$80. The annual fee is \$80 per product name for all other commercial feed. Upon approval by the commissioner the registration must be issued to the applicant. All registrations expire on the 31st day of December. The commissioner may issue a registration for a one-year,