

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2008 to June 13, 2009

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 12, 2009

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

Augusta, Maine
2009

original Medicare has the right to enroll in a standardized Medicare supplement plan. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 60

S.P. 141 - L.D. 399

Resolve, To Establish a Working Group To Increase Child Support Collections

Sec. 1. Working group to increase child support collections. Resolved: That the Department of Health and Human Services, office of integrated access and support, division of support enforcement and recovery shall convene a working group of interested parties to establish a process to collect child support debts through a gambling payment intercept. The division shall submit a report to the Joint Standing Committee on Judiciary no later than January 15, 2010 containing the recommendations, including proposed legislation, of the working group. The report must include a discussion of the feasibility and cost-effectiveness of the proposed process, the administrative burden that may be placed on gambling licensees and gambling facilities and any other issues. The Joint Standing Committee on Judiciary may submit legislation to the 124th Legislature in 2010 based on the report.

See title page for effective date.

CHAPTER 61

H.P. 405 - L.D. 567

Resolve, To Establish a Working Group To Increase Protection for Victims of Domestic Violence

Sec. 1. Working group to increase protection for victims of domestic violence. Resolved: That the Department of Corrections shall convene a working group of interested parties to establish a process to assess dangerousness and more effectively monitor those who commit domestic violence crimes. The working group shall review other states' existing electronic monitoring and offender management programs, determine accurate costs and program management needs and identify possible pilot sites in the State. The department shall submit a report to the Joint Standing Committee on Criminal Justice and Public Safety no later than January 15, 2010 contain-

ing the recommendations, including proposed legislation, of the working group. The Joint Standing Committee on Criminal Justice and Public Safety may submit legislation to the 124th Legislature in 2010 based on the report.

See title page for effective date.

CHAPTER 62

S.P. 434 - L.D. 1186

Resolve, To Facilitate the Creation and Expansion of an Identified Business Sector

Sec. 1. Removal of regulatory barriers for identified business sector. Resolved: That the Department of Economic and Community Development shall identify a business sector in this State, such as wind power development or aquaculture, and convene a working group of representatives of that identified sector. The working group shall identify problems in the regulatory process that impede the development or expansion of that business sector. Following identification of the impediments, the working group shall consult with the agencies in charge of regulation of that industry and coordinate feedback from the Executive Department, State Planning Office, Maine Regulatory Fairness Board to determine solutions, including streamlining the regulatory process, to those identified impediments.

The department shall submit a report of its findings and recommendations, along with legislation necessary to overcome the identified impediments, no later than December 15, 2009 to the Joint Standing Committee on Business, Research and Economic Development. The joint standing committee may submit legislation to the Second Regular Session of the 124th Legislature based on the recommendations of the department's report.

See title page for effective date.

CHAPTER 63

S.P. 267 - L.D. 692

Resolve, Directing the Commissioner of Agriculture, Food and Rural Resources To Develop Best Management Practices for Poultry Production

Sec. 1. Commissioner of Agriculture, Food and Rural Resources to develop best management practices for poultry production. Resolved: That the Commissioner of Agriculture, Food

and Rural Resources shall develop best management practices for the production and maintenance of poultry at facilities with more than 10,000 birds and adopt rules to establish standards for these facilities based on the best management practices. The best management practices must be available on the Department of Agriculture, Food and Rural Resources' publicly accessible website and included in the next publication of the Manual of Best Management Practices for Maine Agriculture by the department's division of animal health and industry. Rules adopted in accordance with this section are major substantive rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A; and be it further

Sec. 2. Commissioner of Agriculture, Food and Rural Resources to explore use of the Maine quality trademark on poultry products.

Resolved: That the Commissioner of Agriculture, Food and Rural Resources shall meet with the directors of the divisions of animal health and industry and of quality assurance and regulation and a cooperative extension specialist with expertise in the commercial production of poultry to discuss possible standards for certification and the potential use of the Maine quality trademark on poultry products in accordance with the Maine Revised Statutes, Title 7, sections 443 and 443-B; and be it further

Sec. 3. Reports. Resolved: That the Commissioner of Agriculture, Food and Rural Resources shall report to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than January 15, 2010 on actions taken and progress made toward meeting the directives in this resolve.

1. The report on best management practices for facilities keeping more than 10,000 birds must provide a timeline for the adoption of rules and a comparison of the proposed standards for care of the birds with the standards used by a national association of egg producers' certification program.

2. The report on the potential use of the Maine quality trademark on poultry products must summarize any meeting or meetings held as directed under section 2 of this resolve and any meetings with poultry producers, processors or other stakeholders on the promotion of Maine poultry products. The commissioner shall include a recommendation regarding the advisability of developing standards and authorization to use the Maine quality trademark for poultry products; and be it further

Sec. 4. Legislation. Resolved: That the Joint Standing Committee on Agriculture, Conservation and Forestry may report out legislation to the Second Regular Session of the 124th Legislature regarding the

care of poultry and the use of the Maine quality trademark on poultry products.

See title page for effective date.

CHAPTER 64

H.P. 797 - L.D. 1158

Resolve, Authorizing Certain Land Transactions by the Department of Conservation, Bureau of Parks and Lands

Preamble. The Constitution of Maine, Article IX, Section 23 requires that real estate held by the State for conservation or recreation purposes may not be reduced or its uses substantially altered except on the vote of 2/3 of all members elected to each House.

Whereas, certain real estate authorized for conveyance by this resolve falls under the designations described in the Maine Revised Statutes, Title 12, section 598-A; and

Whereas, the Director of the Bureau of Parks and Lands within the Department of Conservation may sell or exchange lands with the approval of the Legislature in accordance with the Maine Revised Statutes, Title 5, section 6209 and Title 12, sections 1814, 1837 and 1851; now, therefore, be it

Sec. 1. Director of Bureau of Parks and Lands authorized, but not directed, to convey certain interests in land in the Town of Damariscotta, Lincoln County. Resolved:

That the Director of the Bureau of Parks and Lands within the Department of Conservation may by quitclaim deed without covenant, for fair market value or for exchange of land or interests in land of comparable market value, and on such other terms and conditions as the director may direct, convey any portion of the 4 1/2-acre Shell Heaps Lots, so-called, in Damariscotta, recorded in the Lincoln County Registry of Deeds in Book 650, Page 362. The conveyance may come only with the written approval of the Director of the Maine Historic Preservation Commission and any required approvals by heirs of the donor of the parcel or required approvals by a court of law. The conveyance may occur only in order to advance a plan for recreational trail development on adjacent parcels of land. The conveyance may be to any party; and be it further

Sec. 2. Director of Bureau of Parks and Lands authorized, but not directed, to convey certain interests in land in the Town of Van Buren, Aroostook County. Resolved:

That the Director of the Bureau of Parks and Lands within the Department of Conservation may by quitclaim deed without covenant convey one crossing easement across