

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

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

the Bangor and Aroostook Trail, so-called, for fair market value and on such terms and conditions as the director may direct including maintenance and safety obligations and responsibilities. The easement may be granted to any party and may be to benefit any property, including but not limited to property currently controlled by Mid-Ozarks Investments, LLC, located on the Lake Road in the Town of Van Buren; and be it further

Sec. 3. Director of Bureau of Parks and Lands authorized, but not directed, to convey certain interests in land in the Town of Brownville, Piscataquis County. Resolved: That the Director of the Bureau of Parks and Lands within the Department of Conservation may by quitclaim deed without covenant convey access rights either by fee or easement over an old woods road and portions of other lands owned by the bureau, for appraised fair market value, and on such other terms and conditions as the director may direct, including maintenance and safety obligations and responsibilities. The lands owned by the bureau, a portion of which may be conveyed, consist of approximately 20 acres consisting of an old gravel pit and woods road and other lands adjacent to the Katahdin Iron Works Multi-use Trail off Front Street in the Town of Brownville, recorded in the Piscataquis County Registry of Deeds in Book 1577, Page 267. The easement may be granted to any party and may be to benefit any property, including but not limited to property currently controlled by abutter Paul Foulkes or his successors or assigns; and be it further

Sec. 4. Director of Bureau of Parks and Lands authorized, but not directed, to convey certain minority interests in land in T12 R17 WELS, Aroostook County. Resolved: That the Director of the Bureau of Parks and Lands within the Department of Conservation may by quitclaim deed without covenant, for appraised fair market value, and on such other terms and conditions as the director may direct, convey any and all minority interests in common undivided interests in lands owned by the Bureau of Parks and Lands in T12 R17 WELS to any party. The minority common undivided interests owned by the Bureau of Parks and Lands are estimated to be approximately 1,006 unlocated acres; and be it further

Sec. 5. Director of Bureau of Parks and Lands authorized, but not directed, to convey certain interests in land in T5 R13 WELS, Chesuncook Township, Piscataquis County. Resolved: That the Director of the Bureau of Parks and Lands within the Department of Conservation may by quitclaim deed without covenant, for negotiated value, and on such other terms and conditions as the director may direct, convey or release a parcel of land to Bruce Bailey as the Successor Trustee of the Bailey Family Trust, such land described in a boundary survey performed by AMES A/E entitled, "Bailey, Sur-

prenant, State of Maine, and Piscataquis County - Final Disposition Plan" dated September 11, 2007 and revised March 4, 2008. The parcel contains approximately 12/100 of an acre and is a portion of those premises conveyed by Ansel B. Smith, et al., to James Henderson by deed recorded on August 8, 1927 in Book 228, Page 94 in the Piscataquis County Registry of Deeds. Said parcel is also a portion of those premises conveyed by Peter Simmons a/k/a Peter E. Simmons, Trustee of the Simmons Trust, to Bruce W. Bailey, Successor Trustee of the Bailey Family Trust, by deed dated May 7, 2006 and recorded in Book 1744, Page 243 in the Piscataquis County Registry of Deeds; and be it further

Sec. 6. Director of Bureau of Parks and Lands authorized, but not directed, to convey certain interests in land in T5 R13 WELS, Chesuncook Township, Piscataquis County. Resolved: That the Director of the Bureau of Parks and Lands within the Department of Conservation may by quitclaim deed without covenant, for negotiated value, and on such other terms and conditions as the director may direct, convey or release a parcel of land to the government of Piscataquis County, such land described in a boundary survey performed by AMES A/E entitled, "Bailey, Surprenant, State of Maine, and Piscataquis County - Final Disposition - Main Street Chesuncook Village" dated September 11, 2007 and revised March 4, 2008. The parcel contains approximately 63/100 of an acre and is a portion of the property conveyed by Ansell Smith to the Inhabitants of the Plantation of Chesuncook by deed dated August 30, 1924, and recorded in Book 218, Page 310 in the Piscataquis County Registry of Deeds; and Great Northern Nekoosa Corp. to the State of Maine by deed dated November 12, 1975 and recorded in Book 434, Page 486 in the Piscataquis County Registry of Deeds. The parcel also contains portions of those premises reserved in a deed from the heirs of Ansell Smith to Great Northern Paper Company dated December 1, 1929 and recorded in Book 234, Page 358 in the Piscataquis County Registry of Deeds.

See title page for effective date.

CHAPTER 65

H.P. 949 - L.D. 1348

Resolve, To Provide Grants to Public Educational and Municipal Entities for Feasibility Studies of Renewable Energy Projects

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