

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 1, 2004 to March 30, 2005**

**FIRST SPECIAL SESSION**  
**April 4, 2005 to June 18, 2005**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 29, 2005**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 17, 2005**

**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**  
**2005**

benefit recipient used only for membership recruitment purposes by a nonprofit or public organization established to provide programs, services and representation to Maine public sector retirees unless the retirement system member or benefit recipient has signed a form made available by the retirement system indicating that the individual does not authorize disclosure of that individual's home address. The retirement system may not provide information under this subsection to an organization if the retirement system has determined that the organization obtained information for the purpose of membership recruitment but used the information for a purpose other than membership recruitment. This paragraph is repealed September 15, 2007.

See title page for effective date.

**CHAPTER 150**

**H.P. 671 - L.D. 961**

**An Act To Establish the Agricultural Water Management and Irrigation Fund**

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

**Whereas,** adequate water resources are critical to agriculture in the State; and

**Whereas,** the establishment of a fund and ability to administer that fund must be in place as soon as possible to provide optimal benefits for the 2005 growing season; 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. 7 MRSA Pt. 1-B,** as amended, is further amended by repealing the Part headnote and enacting the following in its place:

**PART 1-B**

**WATER AND SOIL MANAGEMENT**

**Sec. 2. 7 MRSA c. 13** is enacted to read:

**CHAPTER 13**

**AGRICULTURAL WATER MANAGEMENT AND IRRIGATION**

**§351. Agricultural Water Management and Irrigation Fund**

**1. Fund; established.** The Agricultural Water Management and Irrigation Fund, referred to in this chapter as "the fund," is established as a nonlapsing fund in the Department of Agriculture, Food and Rural Resources. The commissioner may accept money for the fund from any public or private source and make expenditures from the fund for the purpose of improving the use of irrigation in agriculture and the use of water resources in animal agriculture.

**2. Administration.** The commissioner shall administer the fund.

**3. Rulemaking.** The commissioner shall adopt rules to carry out the purposes of this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**4. Report.** The commissioner shall submit an annual report on March 1st to the joint standing committee of the Legislature having jurisdiction over agricultural matters. The report must include a summary of money available in the fund, the use of the fund and the status of agricultural irrigation in the State.

**Sec. 3. Appropriations and allocations.** The following appropriations and allocations are made.

**AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF**

**Division of Marketing and Production Development 0833**

Initiative: Provides an initial allocation for the newly established Agricultural Water Management and Irrigation Fund.

<b>OTHER SPECIAL REVENUE</b>		
<b>FUNDS</b>	<b>2005-06</b>	<b>2006-07</b>
All Other	\$500	\$500
<b>OTHER SPECIAL REVENUE</b>		
<b>FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>

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

Effective May 20, 2005.