

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-THIRD LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 6, 2006 to June 21, 2007**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 20, 2007**

**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**  
**2007**

ticipation in harness racing for followers of the sport and horse owners; and be it further

**Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide necessary staffing services to the commission; and be it further

**Sec. 7. Compensation. Resolved:** That the legislative members of the commission are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement for travel and other necessary expenses related to their attendance at authorized meetings of the commission. Public members not otherwise compensated by their employers or other entities that they represent are entitled to receive reimbursement of necessary expenses and, upon a demonstration of financial hardship, a per diem equal to the legislative per diem for their attendance at authorized meetings of the commission; and be it further

**Sec. 8. Report. Resolved:** That, no later than December 5, 2007, the commission shall submit a report that includes its findings and recommendations, including any suggested legislation, for presentation to the Joint Standing Committee on Agriculture, Conservation and Forestry. The Joint Standing Committee on Agriculture, Conservation and Forestry is authorized to introduce legislation related to the harness racing industry to the Second Regular Session of the 123rd Legislature; and be it further

**Sec. 9. Commission budget. Resolved:** That the commission shall seek outside funds to fully fund all costs of the commission. If sufficient outside funding has not been received by the commission by September 15, 2007 to fully fund all costs of the commission, no meetings are authorized and no expenses of any kind may be incurred or reimbursed. Contributions to support the work of the commission may not be accepted from any party having a pecuniary or other vested interest in the outcome of the matters being studied. Any person, other than a state agency, desiring to make a financial or in-kind contribution must certify to the Legislative Council that it has no pecuniary or other vested interest in the outcome of the study. The certification must be made in the manner prescribed by the Legislative Council. All contributions are subject to approval by the Legislative Council. All funds accepted must be forwarded to the Executive Director of the Legislative Council along with an accounting record that includes the amount of the funds, the date the funds were received, from whom the funds were received and the purpose of and any limitation on the use of the funds. The Executive Director of the Legislative Council shall administer any funds received by the commission. The executive director shall notify the chairs of the commission when sufficient funding has been received. Within 10 days after its first meeting, the commission shall present a work plan and proposed budget to the Legislative

Council for its approval. The commission may not incur expenses that would result in the commission's exceeding its approved budget; and be it further

**Sec. 10. Appropriations and allocations. Resolved:** That the following appropriations and allocations are made.

**LEGISLATURE**

**Study Commissions - Funding 0444**

Initiative: Provides an allocation of Other Special Revenue Funds in fiscal year 2007-08 in the event outside funds are received to fully fund the cost of the Commission To Study the Promotion, Expansion and Regulation of the Harness Racing Industry.

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
Personal Services	\$1,760	\$0
All Other	\$3,000	\$0
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,760	\$0

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

Effective June 27, 2007.

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**CHAPTER 129**

**S.P. 375 - L.D. 1123**

**Resolve, Relating to the Wells-Ogunquit Community School District**

**Sec. 1. Negotiation. Resolved:** That the Town of Ogunquit and the Town of Wells or their representatives, referred to in this resolve as "the parties," shall negotiate in good faith in order to reach a settlement of the dispute between the parties regarding the formula for computing each town's assessment for the total expenses of the Wells-Ogunquit Community School District; and be it further

**Sec. 2. Report. Resolved:** That no later than December 5, 2007 the parties shall submit a report that includes their findings and recommendations, including suggested legislation, regarding any necessary changes to the formula for apportionment of education costs of the Wells-Ogunquit Community School District for kindergarten to grade 12 to the Joint Standing Committee on Education and Cultural Affairs; and be it further

**Sec. 3. Legislation. Resolved:** That the Joint Standing Committee on Education and Cultural Af-

fairs may submit a bill to the Second Regular Session of the 123rd Legislature to implement its recommendations on matters relating to the report submitted by the parties pursuant to section 2.

See title page for effective date.

**CHAPTER 130  
H.P. 1151 - L.D. 1642**

**Resolve, To Improve  
Landowner Relations**

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

**Whereas,** the subject of this legislation needs to be addressed before that 90-day limit occurs; 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

**Sec. 1. Transfer. Resolved:** That, notwithstanding any other provision of law, no later than September 15, 2007 the State Controller shall transfer \$49,868 from the Carrying Balances, General Fund account within the Department of Inland Fisheries and Wildlife to the Maine State Parks Development Fund, Other Special Revenue Funds account within the Department of Conservation, and no later than September 15, 2008 the State Controller shall transfer \$53,426 from the Carrying Balances, General Fund account within the Department of Inland Fisheries and Wildlife to the Maine State Parks Development Fund, Other Special Revenue Funds account within the Department of Conservation; and be it further

**Sec. 2. Appropriations and allocations. Resolved:** That the following appropriations and allocations are made.

**CONSERVATION, DEPARTMENT OF**

**Administrative Services - Conservation 0222**

Initiative: Provides funds for the establishment of one limited-period Director of Recreational Access and Landowner Relations position and associated All Other costs.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2007-08</b>	<b>2008-09</b>
All Other	\$1,875	\$2,500

OTHER SPECIAL	\$1,875	\$2,500
<b>REVENUE FUNDS TOTAL</b>		

**Maine State Parks Development Fund 0342**

Initiative: Provides funds for the establishment of one limited-period Director of Recreational Access and Landowner Relations position and associated All Other costs. This position will start July 1, 2007 and the end date will be June 27, 2009. Forty percent of the funding for this position must be provided by the Department of Conservation and 60% must come from the Department of Inland Fisheries and Wildlife. This position is established to work with the Department of Inland Fisheries and Wildlife on issues regarding outreach and assistance to landowners who permit public recreational access on private lands.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2007-08</b>	<b>2008-09</b>
Personal Services	\$78,614	\$83,044
All Other	\$2,625	\$3,500

OTHER SPECIAL	\$81,239	\$86,544
<b>REVENUE FUNDS TOTAL</b>		

**CONSERVATION,  
DEPARTMENT OF**

**DEPARTMENT TOTALS**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$83,114</b>	<b>\$89,044</b>
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<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$83,114</b>	<b>\$89,044</b>
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**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective June 27, 2007.

**CHAPTER 131  
H.P. 963 - L.D. 1371**

**Resolve, To Study the Impact  
of Social Services and  
Corrections Policies on  
Homeless People in Maine**

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