

# MAINE STATE LEGISLATURE

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**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.**

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**Augusta, Maine**  
**2009**

- F. Physical condition of participants;
- G. Qualifications of referees and other authorized participants;
- H. Uniforms, attire, safety gear and equipment of authorized participants;
- I. Specifications of facilities and equipment; and
- J. Requirements for health and accident insurance providing coverage in the event of injury or death to authorized participants. This coverage must comply with standards prescribed by the Superintendent of Insurance; and

**2. Other action.** Take all other lawful action necessary and incidental to its purposes.

**§524. Promotion fees**

In addition to the requirements set by rule pursuant to section 523, a promoter of a mixed martial arts competition, exhibition or event authorized under this chapter must pay a fee set by the authority in advance of the mixed martial arts competition, exhibition or event. A promoter who fails to pay the fee required pursuant to this section is prohibited from promoting the competition as well as any further competitions, exhibitions or events held under this chapter until the fee and any penalties are paid in full or satisfactory arrangements are made with the authority.

**§525. Fund established; excess revenue to be deposited into General Fund**

The authority shall establish and maintain a reserve fund called the "Mixed Martial Arts Reserve Fund" and shall deposit in the fund all money received pursuant to section 522, as well as any other money or funds from any other sources. At the close of each fiscal year, the State Controller shall transfer from the fund any revenue in excess of operating expenses to the General Fund.

**§526. Prohibited interests of officers, directors and employees**

A director of the authority or a spouse, domestic partner or dependent child of a director of the authority may not receive any direct personal benefit from the activities or undertakings of the authority. This section does not prohibit corporations or other entities with which a director is associated by reason of ownership or employment from participating in mixed martial arts activities if ownership or employment is made known to the authority and the director abstains from voting on matters relating to that participation.

**§527. Limitations of powers**

The authority may not enter into contracts, obligations or commitments of any kind on behalf of the State or any of its agencies. No contract, obligation, commitment, agreement, debt, act or undertaking of

the authority of any nature binds the State or any of its agencies.

**§528. Penalty**

A person who fails to comply with the rules adopted by the authority may be subject to disqualification from participation in, or promotion of, mixed martial arts events.

**Sec. 3. 17-A MRSA §515, sub-§2-A** is enacted to read:

**2-A.** Effective March 1, 2010, this section does not apply to any mixed martial arts competition, exhibition or event authorized pursuant to Title 8, chapter 20 as long as rules have been adopted by the Mixed Martial Arts Authority of Maine pursuant to Title 8, chapter 20.

**Sec. 4. Staggered terms.** Notwithstanding the Maine Revised Statutes, Title 8, section 522, subsection 5, in making the original appointments to the board of directors of the Mixed Martial Arts Authority of Maine, the Governor shall appoint members to terms of less than 3 years in order to stagger the terms. A successor's term is 3 years from the date of the expiration of the original term, regardless of the date of appointment.

**Sec. 5. Appropriations and allocations.** The following appropriations and allocations are made.

**MIXED MARTIAL ARTS AUTHORITY OF MAINE**

**Mixed Martial Arts Reserve Fund N079**

Initiative: Provides a base allocation in the event that funds are received to support the operating expenses of the Mixed Martial Arts Authority of Maine.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

See title page for effective date.

**CHAPTER 353  
S.P. 526 - L.D. 1442**

**An Act To Create the Advisory  
Committee on Bias-based  
Profiling by Law Enforcement  
Officers and Law Enforcement  
Agencies**

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

Sec. 1. 5 MRSA §12004-I, sub-§74-F is enacted to read:

**74-F.**

Public Safety	Advisory Committee on Bias-based Profiling by Law Enforcement Officers and Law Enforcement Agencies	Not Authorized	25 MRSA §3001
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Sec. 2. 25 MRSA c. 355 is enacted to read:

**CHAPTER 355**

**ADVISORY COMMITTEE ON BIAS-BASED PROFILING BY LAW ENFORCEMENT OFFICERS AND LAW ENFORCEMENT AGENCIES**

**§3001. Advisory Committee on Bias-based Profiling by Law Enforcement Officers and Law Enforcement Agencies**

**1. Committee established.** The Advisory Committee on Bias-based Profiling by Law Enforcement Officers and Law Enforcement Agencies, referred to in this chapter as "the committee," is established by Title 5, section 12004-I, subsection 74-F to study the issue of bias-based profiling.

**2. Definitions.** As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

A. "Bias-based profiling" means the use by a law enforcement officer or law enforcement agency of race, ethnicity, religion or national origin, in the absence of a specific report or other identifying information, as a factor in determining the existence of probable cause or reasonable suspicion for an arrest, investigative detention, field identification or traffic stop.

B. "Commissioner" means the Commissioner of Public Safety.

**3. Membership.** The committee consists of the following members:

A. The commissioner or the commissioner's designee, who shall act as cochair;

B. One representative from each of the following law enforcement organizations, appointed by the

commissioner from a list submitted by the organization to the commissioner:

(1) One representative of a statewide association of chiefs of police;

(2) One representative of a statewide association of sheriffs;

(3) One representative of police labor organizations in this State; and

(4) One at-large active line officer who is a member of a police labor organization in this State;

C. One at-large representative who is a current or former officer of the Maine State Police, appointed by the commissioner;

D. The Attorney General or the Attorney General's designee;

E. One representative appointed by the Board of Trustees of the Maine Criminal Justice Academy;

F. Seven representatives from different civil rights organizations in the State, each appointed by the commissioner and selected from a list submitted by civil rights organizations to the commissioner. Of the 7, at least one representative must be selected from the list submitted by chapters of the National Association for the Advancement of Colored People within the State, and that member shall act as cochair; and

G. One representative appointed by the commissioner and selected from lists submitted by federally recognized Indian tribes in this State.

**4. Terms.** Members shall serve for 3-year terms. When a vacancy occurs, the original appointing authority shall appoint a new member to serve for the remainder of the term.

**5. Meetings.** The committee may meet as often as necessary.

**6. Compensation.** Members of the committee are not entitled to compensation according to the provisions in Title 5, section 12004-I, subsection 74-F.

**7. Duties.** The committee shall:

A. Work with the Board of Trustees of the Maine Criminal Justice Academy to develop a model policy on bias-based profiling;

B. Work with law enforcement across the State on a voluntary basis to assess whether or not bias-based profiling occurs in this State and, if it does, to what extent and to offer proposals and make recommendations to address the matter;

C. Make recommendations to the Board of Trustees of the Maine Criminal Justice Academy on

curricula for basic and in-service law enforcement training on the subject of bias-based profiling;

D. Establish a mechanism for outreach and public awareness campaigns to educate advocacy organizations and the general public about modern law enforcement practices and procedures; and

E. Advise the Legislature on matters involving bias-based profiling on its own initiative or when requested.

**8. Annual report.** Beginning in 2010, the committee shall report annually by February 15th and as requested to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters and to the Board of Trustees of the Maine Criminal Justice Academy. The report may serve as a guide for the joint standing committee concerning the need for legislation on the issue of bias-based profiling. The joint standing committee is authorized to report out relevant legislation after receiving the committee's annual report.

**§3002. Advisory Committee on Bias-based Profiling by Law Enforcement Officers and Law Enforcement Agencies Fund**

**1. Fund established.** The Advisory Committee on Bias-based Profiling by Law Enforcement Officers and Law Enforcement Agencies Fund, referred to in this section as "the fund," is established as an Other Special Revenue Funds account and is nonlapsing. The commissioner may use the fund only to support the costs associated with committee administration and educational and training materials regarding bias-based profiling.

**2. Revenue sources.** The commissioner may accept private and public contributions intended to be used for the purposes of the fund.

**3. Budget.** The commissioner shall submit a budget for the fund for each biennium pursuant to Title 5, sections 1663 and 1666.

**§3003. Repeal**

This chapter is repealed November 1, 2012.

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

**PUBLIC SAFETY, DEPARTMENT OF  
Criminal Justice Academy 0290**

Initiative: Establishes the Advisory Committee on Bias-based Profiling by Law Enforcement Officers and Law Enforcement Agencies Fund with a base allocation of \$500.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$500	\$500

OTHER SPECIAL	\$500	\$500
REVENUE FUNDS TOTAL		

See title page for effective date.

**CHAPTER 354**

**H.P. 709 - L.D. 1034**

**An Act To Increase Access to  
Farm Fresh Poultry**

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

**Sec. 1. 22 MRSA §2511, sub-§37-A** is enacted to read:

**37-A. Poultry producer.** "Poultry producer" means a person who raises poultry offered for sale.

**Sec. 2. 22 MRSA §2512, sub-§1, ¶A,** as enacted by PL 1999, c. 777, §1, is amended to read:

A. Require ante mortem and post mortem inspections, quarantine, segregation and reinspections with respect to the slaughter of livestock and poultry and the preparation of livestock products and poultry products at all establishments in this State, except those exempted under section 2517-C or exempted by the commissioner under subsection 2, paragraph K, at which livestock or poultry are slaughtered or livestock products or poultry products are prepared for human food solely for distribution in intrastate commerce;

**Sec. 3. 22 MRSA §2517-C** is enacted to read:

**§2517-C. Slaughter and inspection; exemption for poultry**

**1. Exemption.** Notwithstanding section 2512 and whether or not the poultry are intended for human consumption, inspection is not required for the slaughter of poultry or the preparation of poultry products as long as the poultry are slaughtered or the poultry products are prepared on the farm where the poultry were raised and:

A. Fewer than 1,000 birds are slaughtered annually on the farm;

B. No birds are offered for sale or transportation in interstate commerce;

C. Any poultry products sold are sold only as whole birds;

D. The poultry producer has a valid license issued under section 2514;