

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

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NON-EMERGENCY LAWS IS
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Augusta, Maine
2009

finement at any time for any reason in the commissioner's discretion.

Sec. 18. 34-A MRSA §3261, sub-§4, as amended by PL 1999, c. 583, §21, is further amended to read:

- 4. Duties of the warden.** The warden shall:
 - A. File the ~~warrant and~~ record, as provided by Title 15, section 1707, ~~with the warden's return on the warrant in the warden's office; and,~~
 - ~~B. Cause a copy of the warrant of commitment to be filed in the office of the clerk of court from which it was issued.~~

Sec. 19. 34-A MRSA §3407, sub-§4, as amended by PL 1999, c. 583, §26, is further amended to read:

- 4. Duties of the superintendent.** The superintendent shall:
 - A. File the ~~warrant and~~ record, as provided by Title 15, section 1707, ~~with the superintendent's return on the warrant in the superintendent's office; and,~~
 - ~~B. Cause a copy of the warrant of commitment to be filed in the office of the clerk of court from which it was issued.~~

See title page for effective date.

CHAPTER 392

H.P. 671 - L.D. 969

An Act To Amend the Laws Governing the Maine Children's Growth Council

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

Whereas, Congress enacted legislation reauthorizing the Head Start program in 2007; and

Whereas, the membership of the Maine Children's Growth Council must be amended in order to meet federal requirements; 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. 5 MRSA §24001, sub-§3, as enacted by PL 2007, c. 683, Pt. A, §2, is amended to read:

3. Membership. The council consists of ~~27~~ the members listed in this subsection who must have a strong interest in early childhood and early care and education and must be influential in their communities:

- A. Two members of the Senate, one from each of the 2 political parties having the greatest number of members in the Senate, appointed by the President of the Senate;
- B. Two members of the House of Representatives, one from each of the 2 political parties having the greatest number of members in the House, appointed by the Speaker of the House;
- C. The Governor or the Governor's designee and the Attorney General or the Attorney General's designee;
- D. Three parents, at least one of whom has a young child, one each appointed by the Governor, the President of the Senate and the Speaker of the House;
- E. Two persons with experience in public funding and philanthropy, appointed by the President of the Senate;
- F. One person representing child abuse and neglect prevention, appointed by the Speaker of the House;
- G. One person representing postsecondary education, appointed by the Governor;
- H. Eight persons representing statewide, membership or constituent organizations that advance the well-being of young children and their families, nominated by their organizations and appointed by the Governor, of whom:

- (1) Three must represent statewide organizations or associations involved in early care and education programs, child care centers, Head Start programs, family child care providers, resource development centers, programs for school-age children, child development services, physicians and child advocacy;
- (2) One must represent a law enforcement organization involved with children;
- (3) One must represent an organization that works on community organization and mobilization;
- (4) One must represent public health;
- (5) One must represent the Maine Economic Growth Council; and
- (6) One must represent a labor organization;

I. One person representing a statewide association of business and industry and one person representing a business roundtable on early childhood investment, appointed by the Governor;

J. ~~One member~~ Up to 8 members of the public, appointed by the Governor; ~~and~~

K. Three ex-officio nonvoting members: the Commissioner of Education or the commissioner's designee, a Department of Health and Human Services employee who works with early childhood programs including Head Start and a person representing the office within the Department of Health and Human Services that is the fiscal agent for the federal grant program for comprehensive early childhood initiatives; ~~and~~

L. The director of the Head Start collaboration project within the Department of Health and Human Services, Office of Child Care and Head Start.

Sec. 2. 5 MRSA §24004, as enacted by PL 2007, c. 683, Pt. A, §2, is repealed.

Sec. 3. Funding. Expenses and per diem reimbursement for legislative members on the Maine Children's Growth Council may be funded from the legislative account for fiscal year 2009-10 but may not be funded for fiscal year 2010-11 or any subsequent fiscal year unless such funding is authorized by the Legislative Council.

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

Effective June 15, 2009.

CHAPTER 393

H.P. 874 - L.D. 1255

**An Act To Amend Certain
Laws Related to the
Department of Agriculture,
Food and Rural Resources**

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

Sec. 1. 7 MRSA §125, sub-§2, as enacted by PL 1997, c. 711, §5, is amended to read:

2. Membership. The board consists of the following ~~19~~ 20 members:

A. A designee of the President of the University of Maine at Orono;

B. A designee of the Chancellor of the University of Maine System;

C. The Commissioner of Agriculture, Food and Rural Resources or the commissioner's designee;

D. The president of a statewide farm bureau or the president's designee;

E. The president of a statewide agricultural council or the president's designee;

F. Eight members representing the agricultural industry, one person designated by each of the following:

- (1) The Maine Potato Board;
- (2) The Wild Blueberry Commission of Maine;
- (3) A statewide pomological society;
- (4) A statewide vegetable and small fruit growers association;
- (5) A statewide dairy industry association;
- (6) A statewide landscape and nursery association;
- (7) A statewide florist and growers association; and
- (8) A statewide organic farmers and gardeners association;

G. Two members of the joint standing committee of the Legislature having jurisdiction over agricultural matters, one appointed by the President of the Senate and one appointed by the Speaker of the House;

H. One farmer with livestock experience in an area other than dairy farming, chosen from a list of 3 nominees submitted by a statewide beef and sheep producers association, appointed by the Governor;

I. Two research faculty members associated with agricultural research at the University of Maine at Orono, appointed by the Board of Trustees of the University of Maine System; ~~and~~

J. The Director of the University of Maine Cooperative Extension Service; ~~and~~

K. One member representing the aquaculture industry designated by a statewide aquaculture industry association.

Sec. 2. 7 MRSA §742, sub-§8 is amended to read:

8. Grade. "Grade" means any commercial fertilizer having a specific ~~and~~ minimum percentage of plant nutrients that is the same guarantee as the guaranteed analysis, expressed in whole numbers.

Sec. 3. 7 MRSA §743-A is enacted to read: