

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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FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
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IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2009

The departments shall ensure that a balance of interests is present on the stakeholder group; and be it further

Sec. 2. Report. Resolved: That no later than February 1, 2010 the departments shall report the findings and recommendations of the stakeholder group established in this resolve and the memorandum of agreement developed between the departments as a result of the stakeholder group's findings and recommendations to the Joint Standing Committee on Inland Fisheries and Wildlife. The report must include any draft legislation needed to carry out the recommendations contained in the report. The Joint Standing Committee on Inland Fisheries and Wildlife may submit legislation to the Second Regular Session of the 124th Legislature regarding the report.

See title page for effective date.

CHAPTER 36

S.P. 161 - L.D. 458

**Resolve, Directing the
Department of Agriculture,
Food and Rural Resources To
Study Equine Husbandry
Practices in the State**

Sec. 1. Commissioner of Agriculture, Food and Rural Resources to convene a working group. Resolved: That the Commissioner of Agriculture, Food and Rural Resources shall convene a working group to evaluate the care of equines in the State and recommend any changes necessary to ensure the humane treatment of equines and effective enforcement of state laws. The commissioner shall invite the following to participate in the working group: a veterinarian specializing in equine care; a farrier; an owner of an equine breeding stable; an owner or operator of an equine boarding stable; an owner of show horses; a person who has served as a superintendent for equine pulling events; a person who owns one or more horses for pleasure and does not benefit commercially from an equine-related business; a representative of an animal shelter whose primary mission is the care and rehabilitation of abused equines; a member of the Maine Animal Control Association; and an attorney with knowledge of the State's animal welfare laws. The director of the animal welfare program within the Department of Agriculture, Food and Rural Resources, the state veterinarian assigned to the animal welfare program and a member of the Animal Welfare Advisory Council designated by the commissioner shall participate in the working group. The department shall provide staff to and coordinate meetings of the working group using existing resources or funds specifically donated to facilitate this undertaking; and be it further

Sec. 2. Duties. Resolved: That the Commissioner of Agriculture, Food and Rural Resources, in consultation with the working group under section 1, shall:

1. Review annual reports submitted in accordance with the Maine Revised Statutes, Title 7, section 3906-B for 2006, 2007 and 2008 and examine summary data presented in these reports for data on the number of investigations of cruelty to equines and the final disposition of those cases;

2. Review existing statutory provisions pertaining to the care of equines and behaviors or conditions that constitute neglect or abuse under state law;

3. Review existing best management practices and standards of care for equines in the statutes and in the regulations of other states and other practices and standards developed by agencies or organizations to promote good equine husbandry; and

4. Develop approaches to reducing the incidence of equine abuse and neglect in the State. Approaches may differ to appropriately target equine owners and stable owners with varying objectives; and be it further

Sec. 3. Reporting date established. Resolved: That, no later than January 15, 2010, the Commissioner of Agriculture, Food and Rural Resources shall submit a report with findings and recommendations pursuant to the review under section 2, including any recommended legislation, to the Joint Standing Committee on Agriculture, Conservation and Forestry. The joint standing committee may submit legislation pertaining to promoting good equine husbandry practices and ensuring the enforcement of the State's animal welfare laws to the Second Regular Session of the 124th Legislature.

See title page for effective date.

CHAPTER 37

S.P. 100 - L.D. 304

**Resolve, To Allow for the
Support, Preservation and
Maintenance of Maine
Monuments in Gettysburg,
Pennsylvania**

Sec. 1. Account established. Resolved: That the Director of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management shall establish a nonlapsing special revenue interest-bearing account, from the effective date of this resolve until June 30, 2014, for the purpose of accepting and administering state and local funds, gifts and other contributions to be disbursed at appropriate times to the United States Department of the Interior to be used for the purpose of

repairing and maintaining Maine monuments in Gettysburg, Pennsylvania; and be it further

Sec. 2. Liaison with interested parties. Resolved: That the Director of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management may work with stakeholders, interested parties and individuals to solicit donations and develop plans for repairing and maintaining Maine monuments in Gettysburg, Pennsylvania; and be it further

Sec. 3. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Veterans Services 0110

Initiative: Establishes a dedicated account to receive donations for repairing and maintaining Maine monuments in Gettysburg, Pennsylvania.

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 38

S.P. 85 - L.D. 244

Resolve, To Ensure Transparency in Funding Certain Programs within the Department of Inland Fisheries and Wildlife

Sec. 1. Commissioner of Inland Fisheries and Wildlife to create a methodology to determine new unfunded requirements. Resolved: That the Commissioner of Inland Fisheries and Wildlife shall develop a methodology to articulate how the activities of the Department of Inland Fisheries and Wildlife have benefited the general public and to determine what the general public expects from the department. The methodology must also allow the department to readily determine any new financial requirements or mandates on the department that require expenditures by the department that are not funded by the General Fund other than money subject to the Constitution of Maine, Article IX, Section 22 or by other special revenues or federal funds. The methodology must be designed to be effective on an ongoing basis; and be it further

Sec. 2. Report to the Joint Standing Committee on Inland Fisheries and Wildlife.

Resolved: That the Commissioner of Inland Fisheries and Wildlife shall report the methodology that has been developed under section 1 to the Joint Standing Committee on Inland Fisheries and Wildlife by January 5, 2010. The Joint Standing Committee on Inland Fisheries and Wildlife may submit legislation needed to implement the methodology developed pursuant to this resolve to the Second Regular Session of the 124th Legislature.

See title page for effective date.

CHAPTER 39

H.P. 402 - L.D. 564

Resolve, To Establish a Working Group of Stakeholders To Review the Current and Future Needs of Blind and Visually Impaired Individuals and To Establish Long-term Solutions To Fund Those Needs

Sec. 1. Working group to review current and future needs of blind and visually impaired individuals. Resolved:

That the Commissioner of Labor shall establish within existing resources a working group of stakeholders to review the current and future needs of blind and visually impaired individuals. The stakeholder group must include representatives from the Department of Labor, Catholic Charities Maine, The Iris Network, the Division for the Blind and Visually Impaired, the Department of Education, the Disability Rights Center and other interested parties. The group shall assess the current and future needs of blind and visually impaired individuals to determine the costs of those needs and to design a solution that will work to meet those needs; and be it further

Sec. 2. Reporting date established. Resolved:

That the Commissioner of Labor shall report the working group's findings, including the proposed oversight of the Division for the Blind and Visually Impaired, to the Joint Standing Committee on Labor and the Joint Standing Committee on Education and Cultural Affairs by January 31, 2010.

See title page for effective date.