

# 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**

Rules adopted under this section are routine technical rules pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A; and be it further

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

**BAXTER STATE PARK AUTHORITY**

**Baxter State Park Authority 0253**

Initiative: Provides an allocation for savings associated with paying out unused vacation to seasonal employees and foregoing hiring of the roving ranger position.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2009-10</b>	<b>2010-11</b>
Personal Services	(\$6,795)	(\$6,795)
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OTHER SPECIAL REVENUE FUNDS TOTAL	(\$6,795)	(\$6,795)

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

Effective May 15, 2009.

**CHAPTER 44**

**S.P. 486 - L.D. 1351**

**Resolve, To Name the Bridge in  
Orland the Ralston C. Gray  
Bridge**

**Sec. 1. Ralston C. Gray Bridge. Resolved:** That the part of State Route 175, also known as Castine Road, that crosses the Narramissic River in the Town of Orland be named the Ralston C. Gray Bridge to honor the memory of the late Ralston C. Gray, life-long Orland resident.

See title page for effective date.

**CHAPTER 45**

**H.P. 856 - L.D. 1236**

**Resolve, Regarding Legislative  
Review of the Proposed Plan  
Dated March 19, 2009  
Submitted by the Maine State  
Housing Authority for the Use  
of Federal Energy Stimulus  
Funds**

**Emergency preamble. Whereas,** acts and resolves of the Legislature do not become effective until

90 days after adjournment unless enacted as emergencies; and

**Whereas,** Resolve 2009, chapter 1, section 2, subsection 2 requires legislative review and action upon proposed plans for the use of energy stimulus funds that are not subject to state legislative allocation; and

**Whereas,** the Maine State Housing Authority has submitted to the Legislature for review its proposed plan dated March 19, 2009 for the use of those funds; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on the proposed plan; 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. Approval. Resolved:** That the Legislature approves the proposed plan for the use of federal energy stimulus funds developed by the Maine State Housing Authority and presented in the attachments to the April 22, 2009 memorandum from the Maine State Housing Authority to the Joint Select Committee on Maine's Energy Future.

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

Effective May 15, 2009.

**CHAPTER 46**

**H.P. 1029 - L.D. 1478**

**Resolve, Regarding Legislative  
Approval of the Public Utilities  
Commission's Plan for the Use  
of American Recovery and  
Reinvestment Act of 2009  
Funds**

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

**Whereas,** Resolve 2009, chapter 1 requires legislative review and action upon proposed plans for the use of federal American Recovery and Reinvestment Act of 2009 funds that are subject to state legislative allocation; and

**Whereas,** the State is eligible to apply to the Federal Government for a federal American Recovery

and Reinvestment Act of 2009 State Energy Program formula grant in the amount of \$27,305,000, with an application deadline of May 12, 2009; and

**Whereas**, the State is eligible to apply for a federal American Recovery and Reinvestment Act of 2009 block grant under the federal Energy Efficiency and Conservation Block Grant Program in the amount of \$9,593,500, of which no more than \$3,837,400 may be deployed by the State Energy Program and the remainder of which must be regranted directly to municipalities in the State, with an application deadline of May 26, 2009; and

**Whereas**, the Public Utilities Commission submitted to the Legislature for review the commission's initial plan on March 19, 2009 and an updated plan on April 27, 2009; and

**Whereas**, immediate enactment of this resolve is necessary to record the Legislature's position on the proposed plan and to create the allotments necessary to carry out the plan; 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. Approval. Resolved:** That the Legislature approves the plan for the use of the federal American Recovery and Reinvestment Act of 2009 funds submitted by the Public Utilities Commission on March 19, 2009 and updated in a memorandum to the Joint Select Committee on Maine's Energy Future, the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Utilities and Energy dated April 27, 2009; and be it further

**Sec. 2. Reporting. Resolved:** That the state-designated administrator of the State Energy Program shall report to the Joint Standing Committee on Utilities and Energy by September 1, 2009 on the use of the federal American Recovery and Reinvestment Act of 2009 funds as set forth in the approved plan; and be it further

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

**PUBLIC UTILITIES COMMISSION**

**Conservation Administration Fund 0966**

Initiative: Provides funding to support projects for energy efficiency and conservation and the reduction of fossil fuel emissions.

FEDERAL EXPENDITURES FUND ARRA	2008-09	2009-10	2010-11
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All Other	\$10,000	\$22,289,622	\$4,124,047
<b>FEDERAL EXPENDITURES FUND ARRA TOTAL</b>	<b>\$10,000</b>	<b>\$22,289,622</b>	<b>\$4,124,047</b>
<b>FEDERAL BLOCK GRANT FUND ARRA</b>	<b>2008-09</b>	<b>2009-10</b>	<b>2010-11</b>
All Other	\$0	\$8,902,801	\$417,604
<b>FEDERAL BLOCK GRANT FUND ARRA TOTAL</b>	<b>\$0</b>	<b>\$8,902,801</b>	<b>\$417,604</b>

**Conservation Administration Fund 0966**

Initiative: Establishes one limited-period Staff Accountant position, one limited-period Senior Staff Accountant position, 2 limited-period Development Program Manager positions and 2 limited-period Public Service Coordinator III - Utility Analyst positions. These positions will provide financial and program support to the Public Utilities Commission, energy programs division for the purposes authorized in the federal American Recovery and Reinvestment Act of 2009. These positions will end on June 11, 2011.

FEDERAL EXPENDITURES FUND ARRA	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.000	4.500	4.500
Personal Services	\$0	\$398,438	\$421,302
All Other	\$0	\$30,440	\$31,151
<b>FEDERAL EXPENDITURES FUND ARRA TOTAL</b>	<b>\$0</b>	<b>\$428,878</b>	<b>\$452,453</b>
<b>FEDERAL BLOCK GRANT FUND ARRA</b>	<b>2008-09</b>	<b>2009-10</b>	<b>2010-11</b>
POSITIONS - LEGISLATIVE COUNT	0.000	1.500	1.500
Personal Services	\$0	\$124,880	\$132,393
All Other	\$0	\$8,094	\$7,728
<b>FEDERAL BLOCK GRANT FUND ARRA TOTAL</b>	<b>\$0</b>	<b>\$132,974</b>	<b>\$140,121</b>

PUBLIC UTILITIES COMMISSION			
DEPARTMENT	2008-09	2009-10	2010-11
<b>TOTALS</b>			
FEDERAL EXPENDITURES FUND ARRA	\$10,000	\$22,718,500	\$4,576,500
FEDERAL BLOCK GRANT FUND ARRA	\$0	\$9,035,775	\$557,725
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$10,000</b>	<b>\$31,754,275</b>	<b>\$5,134,225</b>

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

Effective May 15, 2009.

**CHAPTER 47**

**H.P. 482 - L.D. 699**

**Resolve, To Direct the Department of Inland Fisheries and Wildlife To Conduct an Evaluation of Its Sport Fishing Program**

**Sec. 1. Evaluation of sport fishing program. Resolved:** That the Commissioner of Inland Fisheries and Wildlife shall evaluate the Department of Inland Fisheries and Wildlife's sport fishing program to identify progress the department has made in 2009 toward the objectives set forth in this resolve. In addition, the commissioner shall identify capacity needed for and constraints to achieving the following objectives:

1. Expanding participation in fishing in the State;
2. Improving the State's recreational fishing economy;
3. Improving customer service to anglers;
4. Increasing fishing opportunities;
5. Securing appropriate access to inland waters;
6. Continuing to simplify fishing rules where possible;
7. Increasing populations of large fish with public support;
8. Protecting and enhancing native and wild fisheries; and

9. Enhancing and protecting the quality of existing fishing experiences; and be it further

**Sec. 2. Report. Resolved:** That the Commissioner of Inland Fisheries and Wildlife shall report the commissioner's findings and recommendations based on the evaluation in section 1 to the Joint Standing Committee on Inland Fisheries and Wildlife by January 31, 2010. The report must include, but is not limited to:

1. Fishing license sales data for 2009;
2. A link to the Department of Inland Fisheries and Wildlife's fish stocking data on its website;
3. A list of new water access sites created in 2009; and
4. References to any other relevant department reports issued in 2009.

The Joint Standing Committee on Inland Fisheries and Wildlife may submit legislation to the Second Regular Session of the 124th Legislature based on the report.

See title page for effective date.

**CHAPTER 48**

**H.P. 202 - L.D. 256**

**Resolve, To Direct the Commissioner of Inland Fisheries and Wildlife To Explore Opportunities and Issues Surrounding Wild Turkey Hunting**

**Sec. 1. Study opportunities and issues regarding wild turkeys. Resolved:** That the Commissioner of Inland Fisheries and Wildlife shall work with interested parties to explore the opportunities and issues surrounding the wild turkey hunt in the State and the problem of nuisance wild turkeys in farming areas, including, but not limited to, electronic tagging or registration, telephone registration and expanded hunting opportunities to reduce the agricultural damage caused by wild turkeys; and be it further

**Sec. 2. Report. Resolved:** That the Commissioner of Inland Fisheries and Wildlife shall report the findings and recommendations based on the study in 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 to the Second Regular Session of the 124th Legislature regarding matters presented in that report.

See title page for effective date.