

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

SECOND REGULAR SESSION
January 6, 2010 to April 12, 2010

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 12, 2010

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2010

CHAPTER 184
H.P. 1288 - L.D. 1802

**Resolve, Directing the Right To
Know Advisory Committee To
Examine Issues Related to
Private Information Contained
in the Communications of
Public Officials**

Sec. 1. Electronic and other communications. Resolved: That the Right To Know Advisory Committee, established under the Maine Revised Statutes, Title 1, section 411, shall examine issues relating to the protection of private information contained in electronic and other communications that are sent and received by public officials, particularly communications between elected public officials and their constituents. The advisory committee shall consider confidentiality requirements related to Legislators' oversight responsibilities. The advisory committee shall also consider appropriate warnings for public officials to provide with regard to communications that are or may be public records. The advisory committee shall submit a report containing its findings and recommendations with suggested legislation to the joint standing committee of the Legislature having jurisdiction over judiciary matters no later than November 30, 2010.

See title page for effective date.

CHAPTER 185
H.P. 1255 - L.D. 1765

**Resolve, Regarding Legislative
Review of Chapter 348:
Poultry Slaughter and
Processing with
Grower/Producer
Exemption, a Major
Substantive Rule of the
Department of Agriculture,
Food and Rural Resources**

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 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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. Adoption. Resolved: That final adoption of Chapter 348: Poultry Slaughter and Processing with Grower/Producer Exemption, a provisionally adopted major substantive rule of the Department of Agriculture, Food and Rural Resources that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the rule is amended to include requirements for the humane handling and slaughter of poultry.

The Commissioner of Agriculture, Food and Rural Resources is not required to hold hearings or conduct other formal proceedings prior to finally adopting the rule in accordance with this resolve.

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

Effective March 31, 2010.

CHAPTER 186
H.P. 1279 - L.D. 1791

**Resolve, Directing the Right To
Know Advisory Committee To
Further Examine
Requirements That Public
Bodies Keep Records of Public
Proceedings**

Sec. 1. Records of public proceedings. Resolved: That the Right To Know Advisory Committee, established under the Maine Revised Statutes, Title 1, section 411, shall further examine issues related to requiring public bodies to keep records of public proceedings. The issues to be examined must include the form and maintenance of the records to be kept, including how soon the records must be available and how long the records must be retained, the appropriate contents of the records, whether failure to comply with records requirements results in the invalidation of action taken by the public body and other related issues. The advisory committee shall submit a report containing its findings and recommendations to the joint standing committee of the Legislature having