

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE

FIRST SPECIAL SESSION
August 29, 2013

SECOND REGULAR SESSION
January 8, 2014 to May 2, 2014

THE EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
EMERGENCY LAW IS
SEPTEMBER 6, 2013

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 1, 2014

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

Augusta, Maine
2014

submit a bill related to this report to the First Regular Session of the 127th Legislature.

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

Effective April 29, 2014.

CHAPTER 110

H.P. 1174 - L.D. 1602

Resolve, Establishing the Commission To Study the Effects of Coastal and Ocean Acidification and Its Existing and Potential Effects on Species That Are Commercially Harvested and Grown along the Maine Coast

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 Commission To Study the Effects of Coastal and Ocean Acidification and Its Existing and Potential Effects on Species That Are Commercially Harvested and Grown along the Maine Coast is established to identify the actual and potential effects of coastal and ocean acidification on commercially valuable marine species, to identify the scientific data and knowledge gaps that hinder Maine's ability to craft policy and other responses to coastal and ocean acidification and prioritize the strategies for filling those gaps and to provide policies and tools to respond to the adverse effects of coastal and ocean acidification on commercially important fisheries and Maine's shellfish aquaculture industry; and

Whereas, the study must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time to be considered in the next legislative session; 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. Commission established. Resolved: That, notwithstanding Joint Rule 353, the Commission To Study the Effects of Coastal and Ocean Acidification and Its Existing and Potential Effects on Species That Are Commercially Harvested and Grown along the Maine Coast, referred to in this resolve as "the commission," is established; and be it further

Sec. 2. Commission membership. Resolved: That the commission consists of the following members:

1. Two members of the Senate appointed by the President of the Senate, including one member from each of the 2 parties holding the largest number of seats in the Legislature;

2. Three members of the House of Representatives appointed by the Speaker of the House, including at least one member from each of the 2 parties holding the largest number of seats in the Legislature;

3. Eight members appointed by the Commissioner of Marine Resources, including:

A. Two representatives of an environmental or community group;

B. Three persons who fish commercially, including at least one aquaculturist; and

C. Three scientists who have studied coastal or ocean acidification; and

4. Three members as follows:

A. The Commissioner of Marine Resources or the commissioner's designee;

B. The Commissioner of Environmental Protection or the commissioner's designee; and

C. The Commissioner of Agriculture, Conservation and Forestry or the commissioner's designee; and be it further

Sec. 3. Chairs. Resolved: That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission; and be it further

Sec. 4. Appointments; convening of commission. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the commission within 45 days. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business; and be it further

Sec. 5. Duties. Resolved: That the commission shall meet a minimum of 4 times to review, study and analyze existing scientific literature and data on coastal and ocean acidification and how it has affected or potentially will affect commercially harvested and grown species along the coast of the State and shall address:

1. The factors contributing to coastal and ocean acidification;

2. How to mitigate coastal and ocean acidification;

3. Critical scientific data and knowledge gaps pertaining to coastal and ocean acidification as well as critical scientific data and knowledge gaps pertaining to the effects of coastal and ocean acidification on species that are commercially harvested and grown along Maine's coast. The commission shall include in its review of the relevant scientific literature and data the results of studies presented at conferences or workshops held in the New England or Northeast region that relate to coastal and ocean acidification, and the commission shall coordinate with the Northeast Coastal Acidification Network to prevent duplication of effort;

4. Steps to strengthen existing scientific monitoring, research and analysis regarding the causes of and trends in coastal and ocean acidification; and

5. Steps to take to provide recommendations to the Legislature and increase public awareness of coastal and ocean acidification; and be it further

Sec. 6. Staff assistance. Resolved: That the Legislative Council shall provide necessary staffing services to the commission; and be it further

Sec. 7. Outside funding. Resolved: That the commission shall seek funding contributions of \$1,500 to fund the costs of the study in fiscal year 2014-15. All funding is subject to approval by the Legislative Council in accordance with its policies. If \$1,500 to fund the study has not been received by July 1, 2014, no meetings are authorized and no expenses of any kind may be incurred or reimbursed in fiscal year 2014-15; and be it further

Sec. 8. Report. Resolved: That, no later than December 5, 2014, the commission shall submit a report of its findings and recommendations to date, including suggested legislation, to the joint standing committee of the Legislature having jurisdiction over marine resources matters. The joint standing committee is authorized to submit a bill to the First Regular Session of the 127th Legislature related to the subject matter of the report.

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

Effective April 30, 2014.

CHAPTER 111

H.P. 1343 - L.D. 1856

Resolve, To Conduct a Market Analysis Regarding the Feasibility of Expanded Gaming in Maine

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

Whereas, development of a statewide gaming policy is critical in light of recent expansion of casino-style gaming in northern New England; and

Whereas, proposals for expanded gaming in Maine should be based on an objective analysis of what is feasible within the existing market; and

Whereas, a market analysis will provide the Legislature with valuable information as it considers future proposals for expanded gaming in Maine; 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. Department of Public Safety, Gambling Control Board to transfer funds. Resolved: That the executive director of the Gambling Control Board within the Department of Public Safety shall transfer \$150,000 from the Gambling Control Board administrative expenses Other Special Revenue Funds account to the General Fund unappropriated surplus. The transfer made pursuant to this section must be made no later than October 1, 2014; and be it further

Sec. 2. Legislative Council to contract for market analysis regarding the potential for expanded gaming in the State. Resolved: That the Legislative Council, through the Executive Director of the Legislative Council, shall contract with a qualified consulting firm that has, within the last 12 months, provided consulting regarding legislative proposals for expanded gaming in New England, to conduct an analysis of the potential market for expanded casino-style gaming in the State. The executive director shall arrange for the analysis to be completed and a report submitted to the Joint Standing Committee on Veterans and Legal Affairs no later than September 1, 2014. The executive director shall ensure that the contract requires the consulting firm to provide an analysis that considers the following:

1. The current regional gaming market's capacity for additional casino-style gaming facilities in the State, considering all existing facilities where wager-