

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 2010 to June 29, 2011

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 28, 2011

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

Augusta, Maine
2011

CHAPTER 84
H.P. 929 - L.D. 1238

**Resolve, Authorizing the
Bureau of Unemployment
Compensation To Study
Establishment of a Voluntary
Workplace Training Program**

Sec. 1. Bureau of Unemployment Compensation within the Department of Labor to determine the most cost-effective proposal for establishing a workplace training program.

Resolved: That, within existing resources, the Director of the Bureau of Unemployment Compensation within the Department of Labor shall determine the most cost-effective proposal for establishing a voluntary workplace training program. The director shall examine programs in the states of Georgia, New Hampshire and Utah to guide the study; and be it further

Sec. 2. Reporting date established. Resolved: That, no later than December 15, 2011, the Director of the Bureau of Unemployment Compensation within the Department of Labor shall report the results of the study under section 1 along with any recommended legislation to the Joint Standing Committee on Labor, Commerce, Research and Economic Development. The committee may submit a bill related to the report to the Second Regular Session of the 125th Legislature.

See title page for effective date.

CHAPTER 85
H.P. 829 - L.D. 1117

**Resolve, To Require the
Commissioner of Labor To
Convene a Stakeholder Group
To Determine the Most
Appropriate Amount of Time
an Employer May Employ an
Employee without Being
Subject to Unemployment
Compensation Requirements**

Sec. 1. Stakeholder group; report. Resolved: That the Commissioner of Labor or the commissioner's designee shall convene a stakeholder group to determine the most appropriate amount of time an employer may employ an employee without the employer's being subject to unemployment compensation requirements. The commissioner or the commissioner's designee shall invite the participation

of representatives from the Maine Merchants Association, the Maine State Chamber of Commerce, the National Federation of Independent Businesses and the Maine Tourism Association. The commissioner or the commissioner's designee shall submit a report with the stakeholder group's recommendations to the Joint Standing Committee on Labor, Commerce, Research and Economic Development by January 15, 2012. The joint standing committee is authorized to introduce a bill related to the report to the Second Regular Session of the 125th Legislature.

See title page for effective date.

CHAPTER 86
H.P. 848 - L.D. 1142

**Resolve, Directing the
Department of Administrative
and Financial Services, Bureau
of Revenue Services To Review
the Farm and Open Space
Tax Law**

Sec. 1. Review. Resolved: That the Department of Administrative and Financial Services, Bureau of Revenue Services, referred to in this resolve as "the bureau," shall work with guidance from the Department of Agriculture, Food and Rural Resources to evaluate land used directly and indirectly for or in support of agricultural activities associated with a parcel enrolled in the farm and open space tax law pursuant to the Maine Revised Statutes, Title 36, chapter 105, subchapter 10. The bureau shall invite representatives from a statewide farming association and a statewide association representing municipalities to participate in the review. The bureau's review must consider land within the footprint of agriculture-related buildings, including greenhouses, dairy barns and buildings used to feed or shelter livestock. The bureau's review must consider the method for the valuation of such lands under a current use valuation methodology and an assessment of the thresholds for acreage and income that allow farmland to be assessed at current use; and be it further

Sec. 2. Report. Resolved: That, no later than December 31, 2011, the bureau shall submit a report that includes the findings of the review under section 1 and provides recommendations, including suggested legislation to implement the recommendations, to the Joint Standing Committee on Taxation and the Joint Standing Committee on Agriculture, Conservation and Forestry; and be it further

Sec. 3. Authority to submit legislation. Resolved: That the Joint Standing Committee on Taxation may submit a bill pertaining to recommendations

pursuant to section 2 to the Second Regular Session of the 125th Legislature.

See title page for effective date.

CHAPTER 87

S.P. 375 - L.D. 1254

Resolve, Directing the Executive Director of the Commission on Governmental Ethics and Election Practices To Review the Law Governing Push Polling

Sec. 1. Executive director of the Commission on Governmental Ethics and Election Practices to review the laws governing push polling. Resolved: That the executive director of the Commission on Governmental Ethics and Election Practices shall by February 1, 2012 submit a report to the Joint Standing Committee on Veterans and Legal Affairs regarding the laws governing push polling, including any advances in the commissioner's ability to enforce the provisions of the laws governing push polling. The report must consider changes proposed through legislation submitted in the 124th and 125th Legislatures to amend what constitutes push polling and consider whether those proposed changes would strengthen the intent and efficacy of the push polling laws. The report may include suggested legislation. The Joint Standing Committee on Veterans and Legal Affairs is authorized to submit a bill based on the recommendations of the report to the Second Regular Session of the 125th Legislature.

See title page for effective date.

CHAPTER 88

S.P. 498 - L.D. 1559

Resolve, To Transfer the Gilford Butler School to Regional School Unit 13

Sec. 1. Definitions. Resolved: That, as used in this resolve, unless the context otherwise indicates, the following terms have the following meanings.

1. "Commissioner" means the Commissioner of Administrative and Financial Services.
2. "State property" means the real estate described in section 3 with the buildings and improvements, together with all appurtenant rights and ease-

ments, and all personal property located on that property, including vehicles, machinery, equipment and supplies; and be it further

Sec. 2. Authority to convey property. Resolved: That the State, by and through the commissioner, may:

1. Convey the interests of the State in the state property to Regional School Unit 13;
2. Negotiate, draft, execute and deliver any documents necessary to settle any boundary line discrepancies;
3. Exercise, pursuant to the Maine Revised Statutes, Title 23, chapter 3, the power of eminent domain to quiet for all time any possible challenges to ownership of the state property;
4. Negotiate, draft, execute and deliver any easements or other rights that, in the commissioner's discretion, may contribute to the value of a proposed conveyance of the State's interests; and
5. Release any interests in the state property that, in the commissioner's discretion, do not contribute to the value of the remaining state property; and be it further

Sec. 3. Property interests that may be conveyed. Resolved: That the state property authorized to be conveyed is the following:

1. A parcel of land described in a deed dated June 14, 1954 from Amos Makinen of South Thomaston to the Maine School Building Authority, recorded in Book 336, Page 135, Knox County Registry of Deeds; and be it further

Sec. 4. Property to be sold "as is." Resolved: That the commissioner may convey the state property without consideration upon terms the commissioner considers appropriate; however, the state property must be conveyed "as is," with no representations or warranties.

Title must be transferred by quitclaim deed without covenant and executed by the commissioner; and be it further

Sec. 5. Exemptions. Resolved: That any conveyance pursuant to this resolve is exempt from any statutory or regulatory requirement that the property first be offered to the Maine State Housing Authority or another state or local agency; and be it further

Sec. 6. Repeal. Resolved: That this resolve is repealed 5 years from its effective date.

See title page for effective date.