

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

FIRST SPECIAL SESSION
September 27, 2011

SECOND REGULAR SESSION
January 4, 2012 to May 31, 2012

THE EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
LAWS IS
SEPTEMBER 28, 2011

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 30, 2012

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

Augusta, Maine
2012

CHAPTER 127
S.P. 625 - L.D. 1807

Resolve, Directing the Maine Turnpike Authority To Place Signs on Interstate 95 Directing Motorists to the Southern Maine Veterans Memorial Cemetery in Springvale

Sec. 1. Signs placed for the Southern Maine Veterans Memorial Cemetery. Resolved: That the Maine Turnpike Authority, notwithstanding federal guidelines relating to directional signs for highways, shall place signs directing motorists to the Southern Maine Veterans Memorial Cemetery in Springvale on the portion of Interstate 95 designated as the Maine Turnpike on the northbound and southbound lanes of the highway.

See title page for effective date.

CHAPTER 128
H.P. 1316 - L.D. 1791

Resolve, Regarding Legislative Review of Portions of Chapter 815: Consumer Protection Standards for Electric and Gas Transmission and Distribution Utilities, a Major Substantive Rule of the Public Utilities Commission

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 portions of Chapter 815: Consumer Protection Standards for Electric and Gas Transmission and Distribution Utilities, a provisionally adopted major substantive rule of the Public Utilities Commission that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective March 16, 2012.

CHAPTER 129
H.P. 1292 - L.D. 1751

Resolve, Authorizing the State Tax Assessor To Convey the Interest of the State in Certain Real Estate in the Unorganized Territory

Sec. 1. State Tax Assessor authorized to convey real estate. Resolved: That the State Tax Assessor is authorized to convey by sale the interest of the State in real estate in the Unorganized Territory as indicated in this resolve. Except as otherwise directed in this resolve, the sale must be made to the highest bidder subject to the following provisions.

1. Notice of the sale must be published 3 times prior to the sale, once each week for 3 consecutive weeks, in a newspaper in the county where the real estate lies, except in those cases in which the sale is to be made to a specific individual or individuals as authorized in this resolve, in which case notice need not be published.

2. A parcel may not be sold for less than the amount authorized in this resolve. If identical high bids are received, the bid postmarked with the earliest date is considered the highest bid.

If bids in the minimum amount recommended in this resolve are not received after the notice, the State Tax Assessor may sell the property for not less than the minimum amount without again asking for bids if the property is sold on or before April 1, 2013.

Employees of the Department of Administrative and Financial Services, Bureau of Revenue Services and spouses, siblings, parents and children of employees of the Bureau of Revenue Services are barred from acquiring from the State any of the real property subject to this resolve.

Upon receipt of payment as specified in this resolve, the State Tax Assessor shall record the deed in

the appropriate registry at no additional charge to the purchaser before sending the deed to the purchaser.

Abbreviations and plan and lot references are identified in the 2009 State Valuation. Parcel descriptions are as follows:

2009 MATURED TAX LIENS

T17 R3 WELS, Aroostook County
 Map AR011, Plan 1, Lot 1 038970099-2
 Theriault, Bertrand Building on leased lot

TAX LIABILITY	
2009	\$564.63
2010	507.14
2011	413.88
2012 (estimated)	413.88
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Estimated Total Taxes	\$1,899.53
Interest	85.50
Costs	26.00
Deed	8.00
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Total	\$2,019.03

Recommendation: Sell to Theriault, Bertrand for \$2,019.03. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$2,025.00.

T17 R4 WELS, Aroostook County
 Map AR021, Plan 5, Lot 24 038980077-3
 Cannan, Dayton J. 0.21 acre

TAX LIABILITY	
2009	\$89.18
2010	80.10
2011	146.67
2012 (estimated)	146.67
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Estimated Total Taxes	\$462.62
Interest	13.51
Costs	26.00
Deed	8.00
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Total	\$510.13

Recommendation: Sell to Cannan, Dayton J. for \$510.13. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$525.00.

T17 R4 WELS, Aroostook County
 Map AR021, Plan 5, Lot 22 038980079-3
 Cannan, Dayton J. 0.37 acre

TAX LIABILITY	
2009	\$192.97
2010	173.32
2011	201.81
2012 (estimated)	201.81
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Estimated Total Taxes	\$769.91
Interest	29.22
Costs	26.00
Deed	8.00
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Total	\$833.13

Recommendation: Sell to Cannan, Dayton J. for \$833.13. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$850.00.

Madrid TWP, Franklin County
 Map FR029, Plan 6, Lot 18.2 071100395-1
 Webber, Melvyn Building on 1.2 acres

TAX LIABILITY

2009	\$467.90
2010	387.01
2011	380.66
2012 (estimated)	380.66

Estimated Total Taxes	\$1,616.23
Interest	69.69
Costs	26.00
Deed	8.00
Total	\$1,719.92

Recommendation: Sell to Webber, Melvyn for \$1,719.92. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$1,725.00.

Madrid TWP, Franklin County

Map FR029, Plan 5, Lot 7	071100396-2
Webber, Melvyn B. and Lucille K.	13.95 acres

TAX LIABILITY

2009	\$228.51
2010	189.00
2011	185.90
2012 (estimated)	185.90

Estimated Total Taxes	\$789.31
Interest	34.04
Costs	26.00
Deed	8.00
Total	\$857.35

Recommendation: Sell to Webber, Melvyn B. and Lucille K. for \$857.35. If they do not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$875.00.

Albany TWP, Oxford County

Map OX016, Plan 1, Lot 38.11	178022082-1
Cargill, Matthew Reed	1.27 acres

TAX LIABILITY

2009	\$76.20
2010	69.55
2011	72.47
2012 (estimated)	72.47

Estimated Total Taxes	\$290.69
Interest	11.58
Costs	26.00
Deed	8.00
Total	\$336.27

Recommendation: Sell to Cargill, Matthew Reed for \$336.27. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$350.00.

Kingman TWP, Penobscot County

Map PE036, Plan 1, Lot 5	198080157-2
Gonzalez, Israel	52 acres

TAX LIABILITY

2009	\$240.12
2010	218.27
2011	197.10
2012 (estimated)	197.10

Estimated Total Taxes	\$852.59
Interest	36.45
Costs	26.00
Deed	8.00
Total	\$923.04

Recommendation: Sell to Gonzalez, Israel for \$923.04. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$925.00.

Interest	185.03
Costs	26.00
Deed	8.00
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Total	\$6,445.52

Kingman TWP, Penobscot County

Map PE036, Plan 2, Lot 50 198080005-2

Martin, Marysol 0.37 acre

Recommendation: Sell to Mulcahy, Thomas J. for \$6,445.52. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$6,450.00.

TAX LIABILITY

2009	\$11.82
2010	10.74
2011	9.70
2012 (estimated)	9.70
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Estimated Total	\$41.96
Taxes	
Interest	1.79
Costs	26.00
Deed	8.00
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Total	\$77.75

Recommendation: Sell to Martin, Marysol for \$77.75. If she does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$100.00.

Concord TWP, Somerset County

Map SO081, Plan 1, Lot 46.2 258180037-1

Gozdek, Joseph Jr. Building on 0.39 acre

TAX LIABILITY

2009	\$143.51
2010	196.34
2011	122.75
2012 (estimated)	122.75
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Estimated Total	\$585.35
Taxes	
Interest	24.09
Costs	26.00
Deed	8.00
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Total	\$643.44

Recommendation: Sell to Gozdek, Joseph Jr. for \$643.44. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$650.00.

T1 R1 NBKP (Taunton and Raynham Academy Grant), Somerset County

Map SO031, Plan 6, Lot 10 258032010-1

Mulcahy, Thomas J. Building on 2.39 acres

TAX LIABILITY

2009	\$1,205.16
2010	1,154.61
2011	1,933.36
2012 (estimated)	1,933.36
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Estimated Total	\$6,226.49
Taxes	

T1 R3 TS, Washington County

Map WA020, Plan 2, Lot 28 298090038-3

Bowden, Mary G. Building on 23 acres

TAX LIABILITY

2009	\$281.42
2010	259.85

2011	243.92
2012 (estimated)	243.92
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Estimated Total Taxes	\$1,029.11
Interest	42.86
Costs	26.00
Deed	8.00
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Total	\$1,105.97

Recommendation: Sell to Bowden, Mary G. for \$1,105.97. If she does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$1,125.00.

Trescott TWP, Washington County

Map WA032, Plan 1, Lot 47.9 298110133-2

Svendsen, Andrew W. Trust
(2009 ownership)

Tuzzolino, Salvatore R. (2010 ownership) Building on 2.04 acres

TAX LIABILITY	
2009	\$308.76
2010	287.18
2011	124.72
2012 (estimated)	124.72
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Estimated Total Taxes	\$845.38
Interest	47.10
Costs	26.00
Deed	8.00
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Total	\$926.48

Recommendation: Sell to Tuzzolino, Salvatore R. for \$926.48. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$950.00.

Cathance TWP, Washington County

Map WA034, Plan 6, Lot 4 293300003-5

Hibbard, Robert D. and Deborah Building on 1.2 acres

TAX LIABILITY	
2009	\$985.43
2010	916.55
2011	1,246.66
2012 (estimated)	1,246.66
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Estimated Total Taxes	\$4,395.30
Interest	150.33
Costs	26.00
Deed	8.00
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Total	\$4,579.63

Recommendation: Sell to Hibbard, Robert D. and Deborah for \$4,579.63. If they do not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$4,600.00.

; and be it further

Sec. 2. State Tax Assessor reauthorized to convey certain real estate for which previous authority expires April 1, 2012. Resolved: That the State Tax Assessor is reauthorized to convey by sale the interest of the State in real estate identified in this section for which authority was first granted in Resolve 2011, chapter 54 but which expires April 1, 2012. The conveyance of real estate under this section is subject to the same conditions as under section 1.

2009 MATURED TAX LIENS

E TWP, Aroostook County

Map AR108, Plan 3, Lot 4 031600080-2

Hibbert, Neville L. 48 acres

TAX LIABILITY	
2008	\$125.51
2009	161.54
2010	145.09
2011	145.09

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2012 (estimated)	145.09
	<hr/>
Estimated Total Taxes	\$722.32
Interest	29.05
Costs	26.00
Deed	8.00
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Total	\$785.37

Recommendation: Sell to the highest bidder for not less than \$800.00.

Freeman TWP, Franklin County

Map FR025, Plan 2, Lot 108.5 078080020-3
Darnell, Timothy R. 0.55 acre

TAX LIABILITY	
2008	\$40.87
2009	52.39
2010	43.34
2011	43.34
2012 (estimated)	43.34
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Estimated Total Taxes	\$223.28
Interest	9.45
Costs	26.00
Deed	8.00
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Total	\$266.73

Recommendation: Sell to the highest bidder for not less than \$275.00.

Kingman TWP, Penobscot County

Map PE036, Plan 3, Lot 95 198080044-1
Dagostino, Charles C. 0.88 acre

TAX LIABILITY	
2008	\$30.76
2009	38.09

2010	34.62
2011	34.62
2012 (estimated)	34.62
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Estimated Total Taxes	\$172.71
Interest	7.06
Costs	26.00
Deed	8.00
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Total	\$213.77

Recommendation: Sell to the highest bidder for not less than \$225.00.

Lexington TWP, Somerset County

Map SO001, Plan 1, Lot 94.2 258310124-1
Foster, Ethel D. Building on 1 acre

TAX LIABILITY	
2008	\$140.88
2009	107.00
2010	101.90
2011	101.90
2012 (estimated)	101.90
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Estimated Total Taxes	\$553.58
Interest	29.64
Costs	26.00
Deed	8.00
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Total	\$617.22

Recommendation: Sell to the highest bidder for not less than \$625.00.

T9 R4 NBPP, Washington County

Map WA027, Plan 1, Lot 26 298060023-2
Drinkwater, Doris H. 0.11 acre

TAX LIABILITY

2008	\$7.39
2009	8.93
2010	8.03
2011	8.03
2012 (estimated)	8.03
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Estimated Total	\$40.41
Taxes	
Interest	1.69
Costs	26.00
Deed	8.00
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Total	\$76.10

Recommendation: Sell to the highest bidder for not less than \$100.00.

See title page for effective date.

**CHAPTER 130
S.P. 613 - L.D. 1776**

**Resolve, To Streamline
Forester Licensing
Requirements**

Sec. 1. Streamlining of forester licensing requirements. Resolved: That the Department of Professional and Financial Regulation, Board of Licensure of Foresters, referred to in this resolve as "the board," and the Department of Conservation, Maine Forest Service shall examine the licensing requirements for foresters as specified in the Maine Revised Statutes, Title 32, chapter 76 for the purpose of streamlining forester licensing requirements. In performing this examination, the board and the Maine Forest Service shall develop recommendations that:

1. Simplify the education, testing and experience requirements for obtaining a license as a forester; and
2. Allow a person who meets specified experience levels and demonstrates knowledge of forestry law to be exempt from the education requirements of Title 32, section 5514, subsection 2.

The board shall submit the recommendations and implementing legislation to the joint standing committee of the Legislature having jurisdiction over forestry matters no later than December 18, 2012 for consideration by the 126th Legislature. The joint standing

committee may report out a bill regarding the simplified process.

See title page for effective date.

**CHAPTER 131
H.P. 1318 - L.D. 1793**

**Resolve, Regarding Legislative
Review of Portions of Chapter
375: No Adverse
Environmental Effect Standard
of the Site Location Law, a
Major Substantive Rule of the
Department of Environmental
Protection**

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 portions of Chapter 375: No Adverse Environmental Effect Standard of the Site Location Law, a provisionally adopted major substantive rule of the Department of Environmental Protection that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective March 18, 2012.