

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE

AS PUBLIC LAWS AND CONSTITUTIONAL RESOLUTIONS

at the

THIRD SPECIAL SESSION

September 15, 1988 to September 16, 1988

and the

FOURTH SPECIAL SESSION

November 28, 1988

AND

AS PRIVATE AND SPECIAL LAWS AND RESOLVES

at the

FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

FIRST SPECIAL SESSION

October 9, 1987 to October 10, 1987

SECOND SPECIAL SESSION

October 21, 1987 to November 20, 1987

SECOND REGULAR SESSION

January 6, 1988 to May 5, 1988

THIRD SPECIAL SESSION

September 15, 1988 to September 16, 1988

and the

FOURTH SPECIAL SESSION

November 28, 1988

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

Twin City Printery
Lewiston, Maine
1989

RESOLVES

OF THE

STATE OF MAINE

AS PASSED AT THE

SECOND REGULAR SESSION

of the

ONE HUNDRED AND THIRTEENTH LEGISLATURE

1987

2055 — County Dues	
Contractual Services	1,650
2075 — Capital Reserve Funds	
Contractual Services:	
Bridges	12,600
Building Improvements	40,000
Jail Building	25,000
2085 — Wage Adjustment	
Contractual Services	132,500
TOTAL GENERAL FUND	\$4,626,456

; and be it further

Sec. 3. Summary. Resolved: That the figures appearing in this resolve represent the total amount of taxes and the total specific expenditures authorized for the calendar year 1988. The following is a summary of revenues and appropriations:

Total Appropriations	\$4,626,456
Available Credits:	
Estimated Revenue	\$979,113
Transfer from Surplus	109,000
Total Available Credits	1,088,113
Amount to be raised by taxation	\$3,538,343

Emergency clause. In view of the emergency cited in the preamble, this resolve shall take effect when approved.

Effective March 30, 1988.

CHAPTER 92

H.P. 1860 — L.D. 2546

RESOLVE, Authorizing the Sale of Certain Public Lands.

Director of the Bureau of Public Lands authorized to consummate the sale of certain public land. Resolved: That the Director of the Bureau of Public Lands is authorized to consummate the sale of certain public land contemplated by the agreement dated February 29, 1988, between the State of Maine and Anthony F. Attardo, Jr., and Paul Attardo, incorporated in this resolve. All money received from the sale of this land shall be deposited in the Public Reserve Lands Acquisition Fund and shall be used to purchase additional land for the Public Reserve Lands System.

Bureau of Public Land
DEPARTMENT OF CONSERVATION

PURCHASE AND SALES AGREEMENT

THIS AGREEMENT is by and between the State of Maine, acting through its Bureau of Public Lands, Department of Conservation (hereinafter referred to as

the "State"), and Anthony F. Attardo, Anthony F. Attardo, Jr. and Paul Attardo, all of Scarborough, Maine (hereinafter collectively referred to as the Grantee"), in accordance with the provisions of 30 M.R.S.A. Section 4169 and subject to the following terms and conditions:

(1) Subject to the terms hereof, the State shall convey all of its right, title and interest in and to a certain lot or parcel of land, (hereinafter referred to as the "premises"), as described in Exhibit A attached hereto.

(2) The conveyance of the lot forming the premises shall be by deed to Anthony F. Attardo, Anthony F. Attardo, Jr. and Paul Attardo. No further obligation of the State of Maine, expressed or implied, is contained in this Agreement; and Anthony F. Attardo, Anthony F. Attardo, Jr. and Paul Attardo do hereby waive all claims or causes of action against the State of Maine, its agents or employees, relating to its or their management, ownership or administration of the premises.

(3) Grantee shall, at the time of closing, pay to the State of Maine, the sum of \$12,000 by certified or bank check payable to the Treasurer of the State of Maine. The Grantee shall also, prior to closing, arrange and pay for a survey, legal description and deed for the premises in a form satisfactory to the State.

(4) The State shall convey the property by quitclaim deed without covenant.

(5) The date of closing shall be within 30 days following the effective date of legislation authorizing this sale (the effective date is 90 days following adjournment of the Legislature.)

(6) If for any reason the Grantee shall fail to meet the terms of this Agreement, in whole or in part, the agreement shall be terminated, subject to renegotiation at the discretion of the Director of the Bureau.

(7) The Grantee hereby acknowledges that he has had an opportunity to inspect the property or has voluntarily waived such opportunity and that he understands and accepts the property and the terms of sale as represented herein.

(8) The parties hereby acknowledge that Legislative authority is necessary to permit the terms hereof to be performed by the State, and that this Agreement, therefore, is made contingent upon the granting of such authority. In the event that the 113th session of the Legislature does not approve legislation authorizing this sale, this Agreement shall terminate on the date of legislative adjournment of the regular session in 1988.

(9) The Grantee hereby certifies that he has full power and authority to act on behalf of the Grantee and that his signature affixed hereto binds the Grantee to the terms of this Agreement. In the event the Grantee shall default for any reason, in whole or in part, the agreement shall be terminated, subject to renegotiation by the

Director of the Bureau at his sole discretion.

(10) The Grantee accepts the premises and any improvements thereon "as is", and without any representation or warranty as to any of the property, its condition or any matter not explicitly provided for in this Agreement. If any approval or permit of any governmental entity is necessary to the conveyance of the premises as provided for herein, the Grantee will make all arrangements, at his cost, to secure such approval(s) or permit(s), and the State shall cooperate in connection therewith but without cost to it.

(11) Notwithstanding any provision hereof, the State shall not convey any land or interest therein which comprises a public road or a great pond.

(12) This document constitutes the entire agreement between the parties; all amendments shall be in writing and executed by the parties hereto.

FOR THE STATE:

/s/ C. Edwin Meadows, Jr.

DATE: 2/29/88

FOR THE GRANTEE

/s/ Barry J. Hobbins
Barry J. Hobbins
ATTORNEY IN FACT FOR
Anthony F. Attardo, Jr.
Paul Attardo
Anthony F. Attardo

DATE: 2/25/88

EXHIBIT A

A certain lot or parcel of land, with any buildings thereon, situated in the Town of Scarborough, County of Cumberland and State of Maine, on the Ash Swamp Road, so-called, and bounded and described as follows:

BEGINNING at the northeast corner of land now or formerly of Albert A. Thurston at said road; thence by the land of said Thurston southwest 71 rods 21 links; thence southeast 22 rods 7 links to a stake; thence northeast to the road; thence northwest by the road 21 rods 7 links to the place of beginning, and containing 10 acres, more or less.

Allocation. The following funds are allocated from Other Special Revenue to carry out the purposes of this Act.

	1988-89
CONSERVATION, DEPARTMENT OF	
Public Reserved Lands Acquisition Fund	
Capital Expenditures	\$12,000
Provides funds to be used to purchase additional land for the public reserve land system.	

Effective August 4, 1988.

CHAPTER 93

S.P. 727 — L.D. 1986

RESOLVE, Authorizing the Commissioner of Administration to Implement the Final Plan for Expenditure of the \$6,000,000 Bond Issue to Identify and Correct Asbestos Problems in State Facilities.

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 Second Special Session of the 112th Legislature, enacted Private and Special Law 1985, chapter 140, "AN ACT to Authorize a Bond Issue in the Amount of \$6,000,000 to Deal with Asbestos in State Facilities"; and

Whereas, the voters of the State approved the bond issue at the November 4, 1986 statewide election; and

Whereas, the Legislature, as directed by Private and Special Law 1985, chapter 140, must approve the Commissioner of Administration's plan for removal and containment of asbestos in state facilities prior to any expenditure of the \$6,000,000 bond proceeds; and

Whereas, the First Regular Session of the 113th Legislature, enacted Resolve 1987, chapter 5, which authorized the Commissioner of Administration to implement a plan for the conduct of a survey and the subsequent removal and containment of asbestos in state facilities; and

Whereas, the First Regular Session of the 113th Legislature, enacted Resolve 1987, chapter 73, which authorized modifications to the asbestos management plan; and

Whereas, the state facilities survey, required by Private and Special Law 1985, chapter 140, has been completed and a final priority plan for asbestos management, dated February 8, 1988, has been submitted by the Commissioner of Administration and endorsed by the labor-management committee; and

Whereas, immediate implementation of a priority plan is necessary to ensure effective management of asbestos problems in state facilities; 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

Commissioner of Administration to implement final plan for expenditure of \$6,000,000 bond proceeds. Resolved: That the Commissioner of Administration, having completed a physical survey of all state facilities and having submitted a final plan for asbestos management