

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

FIRST SPECIAL SESSION

July 11, 1991 to July 18, 1991

THE GENERAL EFFECTIVE DATE FOR

FIRST REGULAR SESSION

NON-EMERGENCY LAWS IS

OCTOBER 9, 1991

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

J.S. McCarthy Company
Augusta, Maine
1991

RESOLVES
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

(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 she has had an opportunity to inspect the property or has voluntarily waived such opportunity and that she 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 115th 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 1991.

(9) The Grantee hereby certifies that she has full power and authority to act on behalf of the Grantee and that her 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 the Grantee's 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; any amendments must be approved by the Legislature.

FOR THE STATE: _____ FOR THE GRANTEE _____

DATE: _____ DATE: _____

EXHIBIT A

A certain triangular lot or parcel of land situated in the Town of Kennebunkport, County of York and State of Maine, described as follows:

Beginning at an iron pipe set in the southwesterly sideline of the Old Cape Road, so-called, at a point which is the easterly corner of land conveyed to the Grantee by Eva LeClair as recorded in Book 4985, Page 166; thence by and along the southwesterly sideline of said Old Cape Road on an approximate course of South fifty one degrees East to the junction of Old Cape Road with the westerly sideline of Route #9; thence by and along the westerly sideline of said Route #9 in a general southerly direction to a point which marks the southeasterly corner of the above referenced parcel conveyed to this Grantee by Eva LeClair; thence in a northwesterly direction along an old abandoned or discontinued road and the common boundary line of the above-referenced parcel conveyed by LeClair to this Grantee to the Old Cape Road and the point of beginning; containing approximately 1 acre, more or less.

See title page for effective date.

CHAPTER 13

S.P. 659 - L.D. 1735

Resolve, Authorizing the Conveyance of a Utility Easement to the City of Belfast

Authority to convey. Resolved: That the Director of the Bureau of Public Lands shall convey to the City of Belfast a utility easement in a certain parcel of land in the City of Belfast, described as follows:

A utility easement in land described in a deed recorded in the Waldo County Registry of Deeds, Book 411, Page 446, as follows, to wit:

The right to locate, maintain, repair and replace as necessary, utility lines for the transmission, disposal, pumping of either water or sewage or electric (underground) along that portion of the premises above referenced, being the so-called Armory Lot, along the southerly bound of said lot in an area within a strip 25 feet wide, being 12-1/2 feet on each side of the existing underground water main, located upon said premises and running generally parallel with the southerly bound of the lot aforementioned.

It shall be an express condition of this grant that the Grantor be provided at least 15 days advance notice of any construction to be undertaken upon said premises involving said utilities and it is an express condition of this grant that the Grantee return the surface condition of the premises affected to the same condition as previously existed, as near as is reasonably possible.

In granting this easement, the Grantor acknowledges that the water main presently existing on the Grantor's property is, and may in the future, continue to be utilized by the Grantor to supply water to fire hydrants located on the Grantor's premises for the suppression of fires. This use by the Grantors shall be allowed to continue until such time as

the water main feeding said hydrant shall be moved, relocated or discontinued.

See title page for effective date.

CHAPTER 14

S.P. 429 - L.D. 1150

Resolve, to Clear Title to Property in the Town of Oxford

Authority to convey. Resolved: That the Director of the Bureau of Public Lands convey to Richard E. Varney and Barbara E. Varney the State's interest in a certain parcel of land in the Town of Oxford. The parcel of land is described as follows:

A right-of-way in common with others as now traveled over the former Hadakin (also referred to as Hadagin) Lot, leading Westerly from Route No. 26 to land formerly of Leroy Toothaker and now of Richard E. Varney and Barbara E. Varney, said right-of-way to be of sufficient width for two vehicles to use with convenience.

The State's interest must be conveyed for the amount of \$250 to cover the costs associated with transfer of title. Transfer documents must be prepared by Richard E. Varney and Barbara E. Varney for review and approval by the bureau.

See title page for effective date.

CHAPTER 15

H.P. 586 - L.D. 837

Resolve, to Create a Demonstration Program to Increase Utilization of the Food Stamp Program by the Elderly

Department to seek waiver. Resolved: That the Department of Human Services shall seek a waiver from the United States Department of Agriculture to provide cash benefits directly to eligible elderly persons in lieu of food coupons. By March 1, 1992, the department shall report to the Joint Standing Committee on Human Resources regarding its success in pursuing the waiver, its strategy for performing outreach services in the food stamp program and, if a waiver has been granted, shall submit legislation necessary to implement a demonstration program under the waiver.

See title page for effective date.

CHAPTER 16

H.P. 668 - L.D. 948

Resolve, Authorizing the Bureau of Public Improvements to Conduct a Study of All State Work Places

Analysis and report required. Resolved: That the Bureau of Public Improvements shall conduct within existing resources an analysis of work places owned or leased by the State in order to identify locations that do not conform to generally accepted standards of work place environment. Standards that must be included are those for air quality, space allocation, health and safety code compliance, lighting, building maintenance, ergonomics and accessibility. The bureau must include information from existing files, from other state agencies, from employee organizations and from such additional surveys as staff resources permit. The bureau must include with its report recommendations and priorities for corrective measures, with cost estimates when feasible. The bureau shall report its conclusions on issues relating to space owned by the State no later than January 15, 1992 and on space leased by the State no later than January 15, 1993. Both reports must be submitted to the Office of the Executive Director of the Legislative Council for distribution to the Joint Standing Committee on State and Local Government.

See title page for effective date.

CHAPTER 17

H.P. 940 - L.D. 1362

Resolve, to Develop Evidence Protocols and Standardized Kits for Cases of Alleged Gross Sexual Assault

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 collection of evidence in cases of alleged gross sexual assault is of vital importance in bringing the offender to justice; and

Whereas, the State does not currently have a standardized kit for hospitals to use in collecting evidence for cases of alleged gross sexual assault; and

Whereas, the collection of evidence varies from hospital to hospital and may seriously damage the ability to successfully prosecute cases of alleged gross sexual assault; and