

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND SEVENTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 1994 to June 30, 1995

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 29, 1995

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
1995

amount within 60 days of the effective date of this resolve, sell to the highest bidder for not less than \$450.00.

Trescott Township, Washington County
 Map WA032, Plan 01, Lot 103.4 298110423
 Sheldon Mahar 1.84 Acres

TAX LIABILITY

1992	\$42.74
1993	46.08
1994	43.74
1995 (estimated)	<u>43.74</u>
Estimated Total Tax	\$176.30
Interest	8.89
Costs	16.00
Deed	<u>8.00</u>
Total	\$209.19

Recommendation: Sell to Sheldon Mahar for \$209.19. If he does not pay this amount within 60 days of the effective date of this resolve, sell to the highest bidder for not less than \$250.00.

See title page for effective date.

CHAPTER 24

S.P. 534 - L.D. 1472

Resolve, Directing the Board of Osteopathic Licensure and the Board of Licensure in Medicine to Review Maine State Licensing Requirements for Medical Professionals Performing Medical Procedures for Maine Residents

Sec. 1. Review of state licensure requirements. Resolved: That the Board of Osteopathic Licensure and the Board of Licensure in Medicine shall jointly review licensure laws to determine whether those laws provide for proper licensing of out-of-state physicians who may wish to provide services to residents of the State by utilizing courier services, mobile imaging or laboratory facilities, or telecommunications. In conducting this review, the boards may study issues, including but not limited to: state licensure for physicians who provide teleradiological and telemedicine services, credentialing of physicians in accordance with professional bylaws, adequate medical liability

coverage, quality control issues such as access, security and confidentiality of patient information, and appropriate use of teleradiology and telemedicine; and be it further

Sec. 2. Report. Resolved: That the Board of Osteopathic Licensure and the Board of Licensure in Medicine shall jointly submit a written report to the Joint Standing Committee on Business and Economic Development on or before January 1, 1996 regarding status of the review required under section 1 of this resolve.

See title page for effective date.

CHAPTER 25

S.P. 507 - L.D. 1366

Resolve, to Provide Clear Title for the Maine Judicial Center

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 Judicial Department of the State of Maine has been given a house and adjoining grounds located at 65 Stone Street in the City of Augusta for use as chambers for the Chief Justice, as a meeting center for the Judicial Department and as offices for Judicial Department staff; and

Whereas, the right to use the property for those purposes may be limited by a deed restriction dating from 1936 that limits the property to residential uses; and

Whereas, most of the neighboring owners have consented to waive this restriction, but a few have refused to permit the proposed use; and

Whereas, the Judicial Department requires the authority to clear the title to the property and to use the gift in accordance with the purposes of the donor and in the interests of the State; and

Whereas, the Legislature finds that these facts create a public exigency, requiring the authority to purchase or take the limiting restriction; 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. Authority to acquire interest in property. Resolved: That the State Court Administrator may acquire by purchase, gift, negotiated agreement or eminent domain any legal right or interest in property that grants the explicit or implied right to enforce a restriction limiting the use of the Judicial Department's property at 65 Stone Street in Augusta to residential use; and that this authority extends to holders of interest in property within the area depicted on a plan entitled "Preliminary Grading Plan for the Residential Development of the Kling Estate" as approved for filing on July 16, 1936 and recorded in the Kennebec County Registry of Deeds in Plan Book 11, pages 2 and 3; and be it further

Sec. 2. Procedure for compensation. Resolved: That if any legal right or interest in property is taken by eminent domain under the authority granted by this resolve, then the State Court Administrator shall have that right or interest appraised and offer to the owner just compensation for the right or interest acquired. The appraisal and award proceedings are governed by the procedures established in the Maine Revised Statutes, Title 12, section 602, subsection 21. References to "the bureau" contained in that section are deemed to mean the State Court Administrator. The consent of the Governor is not required to proceed under the authority granted by this resolve.

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

Effective June 26, 1995.

CHAPTER 26

S.P. 494 - L.D. 1353

Resolve, to Determine the Effectiveness of Economic Development Incentives 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, tax credits and incentives and other economic development incentives have been used in the past and are currently used in the State; and

Whereas, there do not currently exist adequate mechanisms to ensure accountability to the public or to ensure that businesses meet their obligations to provide specified public benefits in return for their tax credits or other incentives; and

Whereas, the agencies cited in this resolve must complete their work and submit their report by February 16, 1996; 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,

Sec. 1. Study required. Resolved: That the Department of Economic and Community Development and the Finance Authority of Maine shall jointly conduct a study of all state-sponsored loans, loan guarantees, grants, tax incentives and other financial incentives designed to encourage the growth and development of business in the State, analyzing for each such incentive the public policy goals expressed in the enabling legislation, the performance of each incentive in meeting the public policy goals, the mechanisms for ensuring that the public is receiving an appropriate return on each incentive investment and any recommendations for legislative changes to improve the effectiveness and return on investment of any such incentives. In undertaking the study, the Department of Economic and Community Development and the Finance Authority of Maine shall request and consider the comments and recommendations of the Maine Economic Growth Council, as well as representatives of business, lenders and labor, economic development professionals and other interested parties, and shall include in their report an analysis of the comments and recommendations received. The Department of Economic and Community Development and the Finance Authority of Maine shall submit their report to the Second Regular Session of the 117th Legislature on or before February 16, 1996.

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

Effective June 26, 1995.

CHAPTER 27

S.P. 395 - L.D. 1083

Resolve, Authorizing the Department of Labor and the University of Maine to Institute Conferences on Emerging Trends in Labor-Management Relations

Sec. 1. Conferences on labor-management relations. Resolved: That the Department of Labor and the Bureau of Labor