

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND NINETEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 2, 1998 to June 19, 1999**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 18, 1999**

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

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1999**

**CHAPTER 10**

**H.P. 398 - L.D. 540**

**Resolve, Authorizing the Transfer of Certain State Historic Site Property**

**Preamble.** Whereas, the Constitution of Maine, Article IX, Section 23 requires that real estate held by the State for conservation purposes may not be reduced or its uses substantially altered except on the vote of 2/3 of all members elected to each House; and

**Whereas,** the land authorized for transfer by this resolve is within the designations in the Maine Revised Statutes, Title 12, section 598-A; and

**Whereas,** the Director of the Bureau of Parks and Lands within the Department of Conservation may sell and convey lands with the approval of the Governor and the Commissioner of Conservation in accordance with the Maine Revised Statutes, Title 12, section 1814; now, therefore, be it

**Sec. 1. Director of the Bureau of Parks and Lands authorized to convey Montpelier, the General Henry Knox Museum, consisting of historic site land, improvements, structures and historical collections, to the Friends of Montpelier. Resolved:** That the Director of the Bureau of Parks and Lands within the Department of Conservation may by deed and gift agreement convey Montpelier, the General Henry Knox Museum, including 4.2 acres, more or less, of historic site land and related improvements, structures and historical collections, in the Town of Thomaston, Knox County, to the Friends of Montpelier, a nonprofit corporation, to be used for historic preservation and public education purposes. The contract for the transfer must contain a reversion clause specifying that, if the Friends of Montpelier do not continue to use the building and the collections for public educational, historic or cultural purposes, the building and collections will revert to the Bureau of Parks and Lands; and be it further

**Sec. 2. Appropriation. Resolved:** That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

**2000-01**

**CONSERVATION,  
DEPARTMENT OF**

**Parks - General Operations**

All Other (\$1,805)

Deappropriates funds no longer needed for insurance payments due to the transfer of a historic property from the State to the Friends of Montpelier.

See title page for effective date.

**CHAPTER 11**

**H.P. 656 - L.D. 912**

**Resolve, to Transfer Land in Edmunds**

**Preamble.** The Constitution of Maine, Article IX, Section 23 requires that real estate held by the State for conservation purposes may not be reduced or its uses substantially altered except on the vote of 2/3 of all members elected to each House.

**Sec. 1. Director of Bureau of Public Lands authorized to convey real estate in Edmunds. Resolved:** That, pursuant to the Maine Revised Statutes, Title 12, section 598-A and section 1837, subsection 1, once the Bureau of Public Lands acquires title from the Town of Dennysville to a parcel of land and the structure situated on that land in Edmunds, Washington County, the Director of the Bureau of Public Lands is authorized to convey that parcel of land to the Dennys River Historical Society. The parcel of land consists of approximately 9/16 of an acre and is bounded and described as follows:

Beginning at a point located 41 feet 8 inches S. 22°E. from the southeast corner of M. E. Church; thence N. 67° 15' W. 9 rods more or less to the center of the traveled highway between the 2 bridges; thence along said highway bearing N. 20° 45' E. 10 rods more or less to the intersection of the traveled Hurley Point Road; thence along said Hurley Point Road bearing S. 64° E. 10 rods more or less; thence S. 25° 30' W, 9 rods more or less to the point of beginning said land to contain 9/16 acres more or less.

The director is authorized to convey the above-described property and improvements to the property on the condition that the property and improvements be retained by the Dennys River Historical Society and used exclusively for public purposes and on further condition that, in the event the presently unorganized township of Edmunds becomes incorporated as a town, then the Dennys River Historical Society, upon the request of the Town of Edmunds,

shall convey the property to the Town of Edmunds to be used exclusively for public purposes.

Tax Map Number 5, Lots 8 and 13, to be incorporated into Bradbury Mountain State Park.

See title page for effective date.

See title page for effective date.

**CHAPTER 12**

**H.P. 722 - L.D. 1012**

**Resolve, to Increase Public Trust in Medical Care**

**Sec. 1. Rules. Resolved:** That, by January 1, 2000, the Department of Human Services shall adopt rules regarding the wearing of identification badges by persons who provide services in health care facilities licensed by the department. In adopting the rules, the Commissioner of Human Services shall consider the goal of increasing information available to consumers of health care services. If the rules require certain employees to wear identification badges in some situations in some facilities, the rules must contain exceptions for situations in which wearing an identification badge would create a safety hazard. Rules adopted pursuant to this resolve are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A.

See title page for effective date.

**CHAPTER 13**

**H.P. 1045 - L.D. 1467**

**Resolve, to Authorize the Director of the Bureau of Parks and Lands to Exchange Land between the State and Pownal Relating to Bradbury Mountain State Park**

**Preamble.** The Constitution of Maine, Article IX, Section 23 requires that real estate held by the State for conservation purposes may not be reduced or its uses substantially altered except on the vote of 2/3 of all members elected to each House.

**Sec. 1. Authorize Director of Bureau of Parks and Lands to exchange land between State and Pownal relating to Bradbury Mountain State Park. Resolved:** That the Director of the Bureau of Parks and Lands is authorized to exchange 1.5 acres of land owned by the State located in Bradbury Mountain State Park, further described on Pownal Tax Map Number 5, Lot 39.01, with the Town of Pownal for 5.4 acres of land owned by the Town of Pownal, further described in Pownal

**CHAPTER 14**

**H.P. 469 - L.D. 632**

**Resolve, Regarding Legislative Review of Chapter 64: Maine School Facilities Finance Program and School Revolving Renovation Fund, a Major Substantive Rule of the Department of Education**

**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 Administrative Procedure Act, Title 5, chapter 375, subchapter II-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 Chapter 64: Maine School Facilities Program and School Revolving Renovation Fund, a provisionally adopted major substantive rule of the Department of Education, and submitted to the Legislature for review pursuant to the Maine Administrative Procedure Act, is authorized with the following amendments.

In order to reaffirm the intent of the Legislature expressed in Public Law 1997, chapter 787, sections 12 and 13, in establishing the Maine School Facilities Finance Program and the School Revolving Renovation Fund, the department shall amend the provisionally adopted rule in the part designated Section 2, subsection C, paragraph 8 (p. 3 of the rules) to read as follows: