

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND NINETEENTH LEGISLATURE**

**SECOND REGULAR SESSION**  
**January 5, 2000 to May 12, 2000**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**AUGUST 11, 2000**

**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**  
**2000**

**CHAPTER 112****S.P. 1048 - L.D. 2638****Resolve, Authorizing a Land Transaction by the Bureau of Parks and Lands**

**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 nonreserved public lands authorized for conveyance by this resolve are under the designations described 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 execute deeds on behalf of the State for nonreserved public lands, conveying lands that have been authorized for conveyance by the Legislature or sold by lawful authority subject to the provisions of the Maine Revised Statutes, Title 12, section 598-A; now, therefore, be it

**Sec. 1. Director of the Bureau of Parks and Lands authorized to convey certain nonreserved public lands in Maine. Resolved:** That the Director of the Bureau of Parks and Lands within the Department of Conservation may by quitclaim deed, and subject to certain restrictions and reservations to be agreed upon by the director, convey the following property for not less than fair market value to October Corporation, a Maine nonprofit corporation with a mailing address of One Canal Plaza, P.O. Box 426, Portland, Maine 04112-0426, contingent upon exercise of an "Option Agreement" between the State, acting through the Commissioner of Administrative and Financial Services, and October Corporation the effective date of which is January 10, 2000, the "Option Agreement":

The State of Maine's right, title and interest in and to approximately 600 acres of nonreserved public lands located in the towns of New Gloucester, North Yarmouth and Gray, Maine; and generally described as approximately 300 acres leased for agricultural use and approximately 300 acres of interspersed woodlands generally contiguous to or in the vicinity of the Pineland Facility land parcel that is the subject of the "Option Agreement" with the exact delineation, acreage and description of such nonreserved public lands to be sold to be determined by a survey to be conducted by October Corporation; and be it further

**Sec. 2. Use of proceeds from sale of property. Resolved:** That the proceeds from the sale of the property described in section 1 must be used to purchase land in Cumberland County, subject to the provisions of the Maine Revised Statutes, Title 12, section 598-B; and be it further

**Sec. 3. Property exempt from certain laws and requirements. Resolved:** That notwithstanding any other provision of law or regulatory requirement, the property transferred pursuant to this resolve may not first be offered to the Maine State Housing Authority or any other state or local agency; and be it further

**Sec. 4. Sale not subject to conditions. Resolved:** That notwithstanding Resolve 1975, chapter 6, the transfer of property authorized by this resolve is not subject to the terms, conditions and restrictions set forth in Resolve 1975, chapter 6, section 4 and the terms, conditions and restrictions are released and repealed as they relate to the property to be transferred pursuant to this resolve.

See title page for effective date.

**CHAPTER 113****H.P. 1765 - L.D. 2471****Resolve, to Recognize Veterans of the Vietnam War in the State House Hall of Flags**

**Sec. 1. Commission established. Resolved:** That a commission is established to arrange for a plaque and a flag or flags, to be displayed in the Hall of Flags in the State House, to honor the veterans of the Vietnam War from Maine; and be it further

**Sec. 2. Commission membership. Resolved:** That the commission consists of 5 nonlegislative members: 3 members appointed by the Governor, one member appointed by the President of the Senate and one member appointed by the Speaker of the House of Representatives. All members must be appointed no later than 30 days following the effective date of this resolve. The member appointed by the President of the Senate and the member appointed by the Speaker of the House of Representatives serve as cochairs. When appointment of all members is completed, the chairs shall so notify the Executive Director of the Legislative Council and shall call and convene the first meeting of the commission no later than August 18, 2000. The members of the commission serve without compensation or expenses; and be it further

**Sec. 3. Duties. Resolved:** That the commission shall develop a design, choose a site, accept

donations and make arrangements for the plaque and a flag or flags to be displayed in the State House Hall of Flags; and be it further

**Sec. 4. Staffing. Resolved:** That, upon approval from the Legislative Council, the Office of Policy and Legal Analysis shall provide necessary staffing services to the commission; and be it further

**Sec. 5. Funding. Resolved:** That the chairs of the commission may seek and accept outside sources of funding. Prompt notice of solicitation and acceptance of funds must be sent to the Legislative Council. All funds accepted must be forwarded to the Executive Director of the Legislative Council and an accounting that includes amount, date received, from whom received, purpose and limitation on use of the funds. The Executive Director of the Legislative Council administers any funds received; and be it further

**Sec. 6. Consultation; reports. Resolved:** That the commission shall consult with the State House and Capitol Park Commission to ensure the appropriateness of the design and location of the new plaque and the selection and placement of the new flag or flags within the State House Hall of Flags. When the commission has agreed upon an appropriate location and design, but not later than October 4, 2000, the commission shall submit its initial report to the Executive Director of the Legislative Council. A final report must be submitted to the Executive Director of the Legislative Council by November 1, 2000. Upon submission of its required reports, the commission terminates; and be it further

**Sec. 7. Future process; recommendations; authorization to report out legislation. Resolved:** That the Maine Historic Preservation Commission shall develop and recommend a more formal and permanent process through which future requests for adding new plaques, flags or other commemorative items to the State House Hall of Flags will be considered. If ultimately adopted by the Legislature, this process would replace the current process of creating a special commission to develop the design and location for each new plaque, flag or other commemorative item to be placed within the State House Hall of Flags. The Maine Historic Preservation Commission shall make its recommendations in writing by November 15, 2000 to the Executive Director of the Legislative Council and to the joint standing committee of the Legislature having jurisdiction over state and local government matters. After receipt of the report, the committee may report out legislation, based on the commission's recommendations, to the First Regular Session of the 120th Legislature; and be it further

**Sec. 8. Allocation. Resolved:** That the following funds are allocated from Other Special Revenue funds to carry out the purposes of this resolve.

2000-01

**LEGISLATURE**

**Commission to Arrange for a Plaque and a Flag or Flags to be Displayed in the Hall of Flags in the State House**

All Other \$500

Provides for the allocation of funds for costs associated with a plaque and a flag or flags honoring veterans of the Vietnam War from Maine in the Hall of Flags in the State House.

See title page for effective date.

**CHAPTER 114**

**H.P. 1650 - L.D. 2319**

**Resolve, Authorizing the Commissioner of Administrative and Financial Services to Sell or Lease the Interests of the State in the Maine State Prison in Thomaston**

**Sec. 1. Definitions. Resolved:** That as used in this resolve, unless the context otherwise indicates, the following terms have the following meanings.

1. "Commissioner" means the Commissioner of Administrative and Financial Services.
2. "State property" means the real and personal property described in section 3 of this resolve; and be it further

**Sec. 2. Authority to convey property. Resolved:** That the State, by and through the commissioner, may:

1. Lease or sell the interests of the State in the state property;
2. Negotiate, draft, execute and deliver any documents necessary to settle any boundary line discrepancies;
3. Exercise, pursuant to the Maine Revised Statutes, Title 23, chapter 3, the power of eminent domain