

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTIETH LEGISLATURE

SECOND REGULAR SESSION
January 2, 2002 to April 25, 2002

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 25, 2002

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
2002

2002, the Department of Human Services shall review its rules regarding the reimbursement structure for personal care assistant home care services, identify barriers to those services and revise rules as necessary to improve the delivery of those services. The department shall include in the process representatives of provider agencies, Elder Independence of Maine, consumers, family members and advocacy groups. The department shall consider a different method of reimbursement for one-hour visits. The department shall report on its work on these issues periodically during the fall of 2002 to the Long-term Care Implementation Committee established pursuant to Public Law 1999, chapter 731, Part BBBB, section 15. By January 15, 2003, the department and the Long-term Care Implementation Committee shall report jointly to the Joint Standing Committee on Health and Human Services on actions taken to improve the delivery of services.

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

Effective April 3, 2002.

CHAPTER 95

S.P. 675 - L.D. 1878

Resolve, Authorizing the Commissioner of Administrative and Financial Services to Lease the Interests of the State in Property at the Long Creek Youth Development Center in South Portland

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 lease property. Resolved: That the State, by and through the commissioner, may:

1. Lease the interests of the State in state property; and
2. Negotiate, draft, execute and deliver any easements or other rights that, in the commissioner's

discretion, may contribute to the value of a proposed lease of the State's interest; and be it further

Sec. 3. Property interest that may be conveyed. Resolved: That the state property authorized to be leased is the following:

That portion of Book 243, Page 197, recorded in the Cumberland County Registry of Deeds, that is determined by the commissioner and the Commissioner of Corrections to be unnecessary to the present or future operation of the Long Creek Youth Development Center.

The state property may be leased for a term of up to 50 years in whole or in part, at the discretion of the commissioner, subject to such permits or approvals as may be required by law; and be it further

Sec. 4. Property to be leased as is. Resolved: That the commissioner may negotiate and execute leases, including ground leases, upon those terms the commissioner considers appropriate; however, the state property must be leased as is, without any representations or warranties; and be it further

Sec. 5. Exemptions. Resolved: That any lease pursuant to this resolve is exempt from any statutory or regulatory requirement that the property first be offered to the Maine State Housing Authority or another state or local agency; and be it further

Sec. 6. Purchase price. Resolved: That the commissioner may list the property for lease with private real estate brokers, solicit bids or enter directly into leases with tenants. The commissioner may reject any offers.

The commissioner shall establish the rent and the terms of lease.

If the commissioner elects to solicit bids, the commissioner shall publish notices sufficient to advertise the property for lease. The commissioner may reject any bids; and be it further

Sec. 7. Proceeds. Resolved: That any rental or lease proceeds that accrue to the State in excess of operating costs must be deposited into the General Fund undedicated revenue account.

See title page for effective date.
