

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

Sec. 2. Repeal. Resolved: That this resolve is repealed 3 years after the effective date of this resolve.

See title page for effective date.

CHAPTER 106

H.P. 1641 - L.D. 2144

Resolve, Regarding Legislative Review of Chapter 220: Methodology for Identification of Regional Service Centers, a Major Substantive Rule of the Executive Department, State Planning Office

Sec. 1. Adoption. Resolved: That final adoption of Chapter 220: Methodology for Identification of Regional Service Centers, a provisionally adopted major substantive rule of the Executive Department, State Planning Office, that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A is authorized.

See title page for effective date.

CHAPTER 107

H.P. 1633 - L.D. 2136

Resolve, Regarding Legislative Review of Amendments to Chapter 127, Instructional Program, Assessment and Diploma Requirements, a Major Substantive Rule of the Department of Education

Sec. 1. Adoption. Resolved: That final adoption of Amendments to Chapter 127: Instructional Program, Assessment and Diploma Requirements, a provisionally adopted major substantive rule of the Department of Education, that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A is authorized only if the rules are amended as follows.

1. The rules must be amended in Section 4, subsection 4.02, paragraph E by striking the following "as required by applicable federal law and regulations".

2. The rules must be further amended in Section 7, subsection 7.02, paragraph A, subparagraph 1(f) by striking the last 2 sentences in this subparagraph, which read as follows: "One-half credit in Maine studies shall be required if not taken in grades 6, 7 or 8. Instruction shall include Maine history and

geography, the natural, economic and industrial resources of the state and the cultural and ethnic heritage of the state."

3. The rules must be further amended in Section 7, subsection 7.02, paragraph A, subparagraph 4 by striking the word "Programs" and replacing it with the word "Plans" in the last line of the subparagraph.

4. The rules must be further amended in Section 9, subsection 9.02 by adding the word "and" between the words "Health" and "Physical" so that the content standard subject area heading reads "Health and Physical" in the 2nd line of the subsection.

5. The rules must be further amended in Section 10, subsection 10.02, paragraph A by adding the words "and Technology" after the word "Science" so that the content standard subject area heading reads "Science and Technology" in the 3rd line of the paragraph.

See title page for effective date.

CHAPTER 108

S.P. 805 - L.D. 2168

Resolve, Authorizing Certain Land Transactions by the Department of Conservation, 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 real estate authorized for conveyance by this resolve is 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 sell or exchange lands with the approval of the Legislature in accordance with the Maine Revised Statutes, Title 12, sections 1837 and 1851; now, therefore, be it

Sec. 1. Director of Bureau of Parks and Lands authorized to sell or convey certain real estate. Resolved: That the Director of the Bureau of Parks and Lands within the Department of Conservation may by quitclaim deed convey the following properties on such terms and conditions as the director may direct:

1. A certain lot or parcel of land in Eagle Lake to be conveyed by the Bureau of Parks and Lands to the Inhabitants of the Town of Eagle Lake bounded and described as follows: Commencing at the southeast corner of those premises conveyed by Quitclaim Deed dated April 16, 1993 from Peoples Heritage Savings Bank to the State of Maine and recorded in the Northern District of the Aroostook County Registry of Deeds in Book 902, Page 238, said point being in the centerline of the Camp Road, so-called, at an iron pin, said point being also designated as "October 13, 1992 5/8"X 34" rebar & cap set"; thence in a generally easterly and northeasterly direction along the centerline of said Camp Road to a point in the centerline of said road which is thirty (30) feet, more or less, on a course south forty degrees thirty one minutes west of an iron pin in the southwesterly corner of the property formerly of Oran and Cecile P. Gagnon; thence on a course north forty degrees thirty one minutes east thirty (30) feet, more or less to the iron pin in the southwesterly corner of the property formerly of Oran and Cecile P. Gagnon; thence in a westerly and southwesterly direction maintaining a course parallel and always thirty feet distant from the center line of the above named Camp Road to a point in the westerly line of the subject property; thence south two degrees 25 minutes 30 seconds west 30 feet to the point of beginning, together with any and all rights to a strip of land 3 rods in width presently known as "camp road" extending southeasterly from the public road known as Sly Brook Road to the dwelling line between the town of Eagle Lake and Township 16 to Range 6.

Said conveyance to be contingent upon the voters of the Town of Eagle Lake accepting said "camp road" as a public way, and provided further that in the event the said "camp road" is ever discontinued or abandoned by the Town of Eagle Lake, then an easement to be at all times and for all purposes be conveyed to the State and any and all rights conveyed by the State pursuant to this resolve shall revert to the State.

Meaning and intending to convey a portion of those premises as described in the deed dated April 16, 1993 from Peoples Heritage Savings Bank to the State of Maine, recorded in the Aroostook County Registry of Deeds in Book 902, Page 238. See also, "Survey Plan for Roland and Emelda Toussaint and Bryan J. and Linda C. Harper as revised October 21, 1992 for Peoples Heritage Savings Bank" by Michael P. Cyr, P.L.S. 1255, File No. ELTOUSST (One E.L.).

2. A certain lot or parcel of land in Eagle Lake to be conveyed in fee by the Bureau of Parks and Lands to Gordon and Juliette Bragdon, husband and wife, of RR 1, Box 1093-A, Eagle Lake, Maine 04739, said lot to be encumbered by an easement to be conveyed by the Bureau of Parks and Lands to Bertrand and Rita Collin, husband and wife, of 160

Stonedge Drive, Newington, Connecticut 06111; said lot to enclose the existing septic system shared jointly by Gordon and Juliette Bragdon and Bertrand and Rita Collin; said lot or parcel of land being on the northerly side of the Sly Brook Road Extension, so-called, and being opposite and across from the lands of said Bragdon and Collin and containing 1 acre, more or less. See deed from Roland and Emelda Toussaint to Gordon and Juliette Bragdon, dated June 12, 1968 and recorded in the Aroostook County Registry of Deeds, Northern Division, Book 362, Page 272. This conveyance is subject to the restriction that the parcel is to be used primarily for a septic system for the benefit of those residences of said Bragdons and Collins and their respective heirs and assigns and that all commercial or industrial uses as well as structures used for occupancy are prohibited.

Said easement is to be conveyed to Bertrand and Rita Collin for their use and maintenance of the septic system that serves their property as described in a deed from Donald and Dorothy Gagnon to Bertrand and Rita Collin, dated December 7, 1987 and recorded in the Aroostook County Registry of Deeds in Book 731, Page 320, and the said property of Gordon and Juliette Bragdon.

The above conveyances to Gordon and Juliette Bragdon in fee and to Bertrand and Rita Collin of an easement are to be conveyed at appraised fair market value.

3. A certain lot or parcel of land, being a portion of the Codyville Public Lot, in Codyville, to be conveyed for \$1.00 and other valuable consideration by the Bureau of Parks and Lands to Raymond E. and Lois J. Harvie, husband and wife, of 93 Norma Avenue, Weymouth, Massachusetts 02188, said lot or parcel being 5.4 acres, more or less, and located on the northerly side of Route 6 in the Town of Codyville, Washington County. Said conveyance to be in exchange for a release of any and all claims against the State of Maine by Raymond E. and Lois J. Harvie concerning title to the Codyville Public Lot.

See title page for effective date.

CHAPTER 109

H.P. 1684 - L.D. 2183

Resolve, Regarding Legislative Review of Chapter 3: Maine Clean Elections Act and Related Provision Amendments, Major Substantive Rules of the Commission on Governmental Ethics and Election Practices