

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**November 13, 2002 to November 14, 2002**

**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 4, 2002 to June 14, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**FEBRUARY 13, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 13, 2003**

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

---

---

**Penmor Lithographers**  
**Lewiston, Maine**  
**2003**

**CHAPTER 50****S.P. 388 - L.D. 1184****Resolve, To Encourage Use of  
Alternative Energy Sources**

**Sec. 1. Energy Resources Council to study. Resolved:** That the Energy Resources Council, established in the Maine Revised Statutes, Title 5, section 3327, in coordination with the Department of Environmental Protection, shall study:

1. The costs and benefits of state government actions and options to stimulate an increase in the percentage of various alternative transportation fuels and alternatively fueled vehicles used in the State;
2. The costs and benefits of state government actions and options to stimulate an increase in the production of biofuels in the State;
3. The related goals, practices, results and markets that exist in other states and provinces, especially those that share fuel or vehicle markets with Maine;
4. The potential for synergies between alternative transportation fuel and alternative heating fuel sectors and infrastructure;
5. The costs and benefits and actual or predicted transportation energy efficiency results of other initiatives, including dense multiuse development, long-term traffic and modal demand management plans of the Department of Transportation, anti-idling campaigns and fuel economy standards for state fleets; and
6. Related federal initiatives, requirements and funding, and the implications for strategic planning and investment in the State; and be it further

**Sec. 2. Energy Resources Council report. Resolved:** That the Energy Resources Council shall report its interim findings and recommendations resulting from the study required in this resolve by January 31, 2004 and its final recommendations by January 31, 2005. The reports must present recommended production or usage goals for alternative transportation fuels and biofuels, recommended strategies to arrive at those goals and the predicted costs and benefits of such strategies; and be it further

**Sec. 3. Costs. Resolved:** That the costs of the study required in this resolve must be absorbed within the existing resources of the Energy Resources Council and member agencies.

See title page for effective date.

---



---

**CHAPTER 51****H.P. 1136 - L.D. 1550****Resolve, Authorizing the Transfer of  
Land from the State to Maine School  
Administrative District No. 16**

**Preamble. Whereas,** the Constitution of Maine, Article IX, Section 23 requires that real estate held by the State for conservation or recreation 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 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 any restrictions and reservations to be agreed upon by the director, sell or lease at fair market value all or part of property commonly known as "community gardens," located on Winthrop Street in the Town of Hallowell, to Maine School Administrative District No. 16; and be it further

**Sec. 2. 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. 3. Option agreement. Resolved:** That the Director of the Bureau of Parks and Lands within the Department of Conservation is directed upon the request of the board of directors of Maine School Administrative District No. 16 to enter into an option agreement with the board for a term of up to 3 years to sell or lease the property described in section 1 of this resolve. The board of directors may exercise the

option and acquire property on behalf of the district at any time during the option period.

See title page for effective date.

---

---

## CHAPTER 52

### H.P. 793 - L.D. 1075

#### **Resolve, To Ensure Appropriate Care for Older Persons with Dementia and Certain Other Diseases**

**Sec. 1. Joint Advisory Committee on Select Services for Older Persons. Resolved:** That the Department of Human Services and the Department of Behavioral and Developmental Services shall jointly establish and provide support for the Joint Advisory Committee on Select Services for Older Persons, referred to in this resolve as "the advisory committee." The advisory committee shall operate until December 31, 2005. The advisory committee shall study the needs of older persons, including, but not limited to, services or treatment for mental health, mental retardation, substance abuse, dementia and cognitive impairments with behavioral issues associated with those impairments and shall advise the departments on services required to meet those needs. The advisory committee shall monitor the development by the departments of new initiatives to serve older persons with special needs. The advisory committee shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters once during 2003 and twice per year during 2004 and 2005.

During 2003 and 2004, the advisory committee shall convene a subcommittee representing older persons and their families, providers of long-term care and health care services, state and private agencies and advocates for older persons and their families. The subcommittee shall focus on issues concerning the care needs of older persons with cognitive impairments with behavioral issues associated with those impairments and options for developing and improving programs and services for those persons. The subcommittee shall report to the advisory committee periodically.

By December 31, 2003 and December 15, 2004, the advisory committee shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters regarding services to persons with cognitive impairments with behavioral issues associated with those impairments. The joint standing committee of the Legislature having jurisdiction over health and human services matters

has authority to report out legislation based on the report to the Legislature.

See title page for effective date.

---

---

## CHAPTER 53

### H.P. 1034 - L.D. 1412

#### **Resolve, Authorizing the Commissioner of Administrative and Financial Services To Increase the Ground Lease Term at the Long Creek Youth Development Center from 50 to 90 Years**

**Sec. 1. Resolve 2001, c. 95, §3, amended. Resolved:** That Resolve 2001, c. 95, §3 is amended to read:

**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~~ 90 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

; and be it further

**Sec. 2. Resolve 2001, c. 95, §3-A, enacted. Resolved:** That Resolve 2001, c. 95, §3-A is enacted to read:

**Sec. 3-A. Developer requirements. Resolved:** That the lessee of the property must agree to the following conditions.

1. The lessee shall make every effort to redevelop the administration building of the Long Creek Youth Development Center and, if the building is redeveloped, seek a tenant or tenants for it;

2. The lessee shall decide within 7 years after signing the lease whether to redevelop or demolish at the lessee's expense the administration building;

3. The lessee shall take sole responsibility for the administration building at the time the option to lease the property is exercised. The option and the ground lease must include the administration building. Title to the administration building must transfer to the lessee at the time the lessee exercises the option to