

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 TWENTY-SECOND LEGISLATURE

FIRST REGULAR SESSION
December 1, 2004 to March 30, 2005

FIRST SPECIAL SESSION
April 4, 2005 to June 18, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 17, 2005

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

Penmor Lithographers
Lewiston, Maine
2005

CHAPTER 3**H.P. 13 - L.D. 8**

**Resolve, Regarding Legislative
Review of the Repeal of Chapter 130:
Rules for Equivalent Instruction
Programs, a Major Substantive Rule
That Has Been Provisionally
Repealed by the Department of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 Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted, amended, suspended or repealed by the agency; and

Whereas, the repeal of 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 the repeal 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. Repeal. Resolved: That final repeal of Chapter 130: Rules for Equivalent Instruction Programs, a provisionally repealed major substantive rule of the Department of Education that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5,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 2-A, is authorized.

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

Effective March 18, 2005.

CHAPTER 4**H.P. 364 - L.D. 489**

**Resolve, Authorizing the
Commissioner of Administrative and
Financial Services To Place under
Option or Right of First Refusal
Certain Property along State Street,
Augusta, Maine**

Sec. 1. Authority to option. Resolved: That the Commissioner of Administrative and Financial Services may place under option or right of first refusal certain property designated Tax Map Parcel 33-115, located along State Street, City of Augusta, in the County of Kennebec, and State of Maine; and be it further

Sec. 2. Purpose. Resolved: That the authority is conferred under section 1 for the purposes of implementing the Augusta State Facilities Master Plan and creating a suitable gateway into the State's capital facilities; and be it further

Sec. 3. Appraisal. Resolved: That the Commissioner of Administrative and Financial Services may negotiate the terms of the option or right of first refusal. If the property is placed on the market for sale, the commissioner shall request authority and funding from the Legislature to accomplish the purchase and may make the purchase only if the Legislature authorizes and funds the purchase; and be it further

Sec. 4. Repeal. Resolved: That this resolve is repealed 5 years from its effective date.

See title page for effective date.

CHAPTER 5**H.P. 379 - L.D. 504**

**Resolve, Authorizing the
Commissioner of Administrative and
Financial Services To Sell or Lease
the Interests of the State in Certain
Real Estate Located along the New
Belgrade Road in Augusta**

Sec. 1. Definitions. Resolved: That, as used in this resolve, the following terms have the following meanings.

1. "Commissioner" means the Commissioner of Administrative and Financial Services.