

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

FIRST REGULAR SESSION
December 6, 2006 to June 21, 2007

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 20, 2007

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

Penmor Lithographers
Lewiston, Maine
2007

reissued permit must be regulated according to the flow and water level requirements in the rule; and

18. Any technical changes to the rule necessary to accomplish the changes described in this resolve are made.

The Board of Environmental Protection is not required to hold hearings or undertake further proceedings prior to final adoption of the rule in accordance with this section.

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

Effective June 6, 2007.

CHAPTER 64

H.P. 1277 - L.D. 1830

Resolve, Regarding Legislative Review of Portions of Chapter 872: Exemptions from the Ban on Sale of Mercury-added Switches, Relays and Measuring Devices, a Major Substantive Rule of the Department of Environmental Protection

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 by the agency; and

Whereas, 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 final adoption 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. Adoption. Resolved: That final adoption of portions of Chapter 872: Exemptions from the Ban on Sale of Mercury-added Switches, Relays and Measuring Devices, a provisionally adopted major substantive rule of the Department of Environmental Protection that has been submitted to the Leg-

islature 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 legislation takes effect when approved.

Effective June 6, 2007.

CHAPTER 65

H.P. 1268 - L.D. 1816

Resolve, Authorizing the State Tax Assessor To Convey the Interest of the State in Certain Real Estate in the Unorganized Territory

Sec. 1. State Tax Assessor authorized to convey real estate. Resolved: That the State Tax Assessor is authorized to convey by sale the interest of the State in real estate in the Unorganized Territory as indicated in this resolve. Except as otherwise directed in this resolve, the sale must be made to the highest bidder subject to the following provisions.

1. Notice of the sale must be published 3 times prior to the sale, once each week for 3 consecutive weeks, in a newspaper in the county where the real estate lies except in those cases in which the sale is to be made to a specific person or persons as authorized in this resolve, in which case notice need not be published.

2. A parcel may not be sold for less than the amount authorized in this resolve. If identical high bids are received, the bid postmarked with the earliest date is considered the highest bid.

If bids in the minimum amount recommended in this resolve are not received after the notice, the State Tax Assessor may sell the property for not less than the minimum amount without again asking for bids if the property is sold on or before April 1, 2008.

Employees of the Department of Administration and Financial Services, Bureau of Revenue Services and spouses, siblings, parents and children of employees of the Bureau of Revenue Services are barred from acquiring from the State any of the real property subject to this resolve.

Upon receipt of payment as specified in this resolve, the State Tax Assessor shall record the deed in the appropriate registry at no additional charge to the purchaser before sending the deed to the purchaser.

Abbreviations and plan and lot references are identified in the 2004 State Valuation. Parcel descriptions are as follows:

2004 MATURED TAX LIENS

Total \$5,888.62

TC R2 WELS, Aroostook County

Recommendation: Sell to Harris, Richard F. Sr. and Pauline et al. for \$5,888.62. If they do not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$5,900.00.

Map AR002, Plan 1, Lot 1 038140018-1

Hoyt, Harold Building on leased lot

TAX LIABILITY

2004	\$62.21
2005	62.21
2006	75.52
2007 (estimated)	75.52

Estimated Total Taxes	\$275.46
Interest	8.09
Costs	16.00
Deed	8.00
Total	\$307.55

Recommendation: Sell to Hoyt, Harold for \$307.55. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$325.00.

T16 R4 WELS, Aroostook County

Map AR020, Plan 2, Lot 127 038890249-1

Harris, Richard F. Sr. and Pauline et al. 0.61 acre and building

TAX LIABILITY

2004	\$1,317.69
2005	1,317.69
2006	1,528.97
2007 (estimated)	1,528.97

Estimated Total Taxes	\$5,693.32
Interest	171.30
Costs	16.00
Deed	8.00

T9 R5 WELS, Aroostook County

Map AR026, Plan 1, Lot 4 038260014-2

Phillips, Charles Jr. 122 acres

TAX LIABILITY

2004	\$208.48
2005	208.48
2006	270.19
2007 (estimated)	270.19

Estimated Total Taxes	\$957.34
Interest	27.10
Costs	16.00
Deed	8.00

Total \$1,008.44

Recommendation: Sell to Phillips, Charles Jr. for \$1,008.44. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$1,025.00.

T14 R7 WELS, Aroostook County

Map AR041, Plan 1, Lot 1 038690008-2

Shean, Mark R., Mark R. II, William H. III and Maurice J. Barrows Building on leased lot

TAX LIABILITY

2004	\$26.24
2005	26.24
2006	44.54
2007 (estimated)	44.54

Estimated Total	\$141.56
Taxes	
Interest	3.41
Costs	16.00
Deed	8.00
<hr/>	
Total	\$168.97

Recommendation: Sell to Shean, Mark R., Mark R. II, William H. III and Maurice J. Barrows for \$168.97. If they do not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$175.00.

T18 R12 WELS, Aroostook County

Map AR076, Plan 1, Lot 5 039050046-1

Hersey, Merrill Building on leased lot

TAX LIABILITY	
2004	\$14.18
2005	14.18
2006	38.56
2007 (estimated)	38.56
<hr/>	
Estimated Total	\$105.48
Taxes	
Interest	1.84
Costs	16.00
Deed	8.00
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Total	\$131.32

Recommendation: Sell to Hersey, Merrill for \$131.32. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$150.00.

Connor Township, Aroostook County

Map AR105, Plan 2, Lot 89.2 038020036-1

Hayes, Rodger C. 30 acres

TAX LIABILITY	
2004	\$56.85
2005	56.85
2006	55.54
2007 (estimated)	55.54
<hr/>	
Estimated Total	\$224.78
Taxes	
Interest	7.39
Costs	16.00
Deed	8.00
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Total	\$256.17

Recommendation: Sell to Hayes, Rodger C. for \$256.17. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$275.00.

T4 R1 BKP WKR, Franklin County

Map FR001, Plan 1, Lot 1.3 078170006-2

Trillum Land Conservation LLC 3,442 acres

TAX LIABILITY	
2004	\$4,904.03
2005	4,655.53
2006	4,098.77
2007 (estimated)	4,098.77
<hr/>	
Estimated Total	\$17,757.10
Taxes	
Interest	627.58
Costs	16.00
Deed	8.00
<hr/>	
Total	\$18,408.68

Recommendation: Sell to Trillum Land Conservation LLC for \$18,408.68. If it does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$18,425.00.

T2 R3 WBKP, Franklin County

Map FR006, Plan 3, Lot 17 078130102-3

Pollis, Darren Building on leased lot

Recommendation: Sell to Geddes, Paul for \$1,934.85. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$1,950.00.

TAX LIABILITY

2004	\$73.28
2005	67.17
2006	72.41
2007 (estimated)	72.41
<hr/>	
Estimated Total Taxes	\$285.27
Interest	9.28
Costs	16.00
Deed	8.00
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Total	\$318.55

Recommendation: Sell to Pollis, Darren for \$318.55. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$325.00.

Freeman Township, Franklin County

Map FR025, Plan 2, Lot 108.1 078080110-1

Geddes, Paul 86.8 acres

Freeman Township, Franklin County

Map FR025, Plan 2, Lots 49, 49.1, 50 078080111-1

Geddes, Paul 123.54 acres

TAX LIABILITY

2004	\$55.45
2005	658.84
2006	821.63
2007 (estimated)	821.63
<hr/>	
Estimated Total Taxes	\$2,357.55
Interest	74.73
Costs	16.00
Deed	8.00
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Total	\$2,456.28

Recommendation: Sell to Geddes, Paul for \$2,456.28. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$2,475.00.

TAX LIABILITY

2004	\$141.21
2005	489.57
2006	610.77
2007 (estimated)	610.77
<hr/>	
Estimated Total Taxes	\$1,852.32
Interest	58.53
Costs	16.00
Deed	8.00
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Total	\$1,934.85

Perkins Township, Franklin County

Map FR026, Plan 1, Lot 33 078180065-1

Wojciechowski, Robert A. et al. 1 acre

TAX LIABILITY

2004	\$61.44
2005	56.32
2006	70.64
2007 (estimated)	70.64
<hr/>	
Estimated Total Taxes	\$259.04

RESOLVE, C. 65

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Interest	7.78
Costs	16.00
Deed	8.00
	<hr/>
Total	\$290.82

Recommendation: Sell to Wojciechowski, Robert A. et al. for \$290.82. If they do not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$300.00.

Madrid Township, Franklin County

Map FR029, Plan 1, Lot 15	071100092-1
Map FR029, Plan 2, Lots 11, 11.1	071100092-1
Geddes, Paul	238 acres

TAX LIABILITY

2004	\$186.94
2005	1,186.30
2006	1,478.58
2007 (estimated)	1,478.58
	<hr/>
Estimated Total Taxes	\$4,330.40
Interest	47.45
Costs	16.00
Deed	8.00
	<hr/>
Total	\$4,401.85

Recommendation: Sell to Geddes, Paul for \$4,401.85. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$4,425.00.

Madrid Township, Franklin County

Map FR029, Plan 9, Lot 8.17	071100317-1
Gnozac, Jeffrey	2.1 acres

TAX LIABILITY

2004	\$59.39
2005	64.79
2006	118.50
2007 (estimated)	118.50

Estimated Total Taxes	\$361.18
Interest	7.94
Costs	16.00
Deed	8.00
	<hr/>
Total	\$393.12

Recommendation: Sell to Gnozac, Jeffrey for \$393.12. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$400.00.

Madrid Township, Franklin County

Map FR029, Plan 9, Lots 8.11, 8.12	071100331-1
Jackson, Mary A.	4.1 acres

TAX LIABILITY

2004	\$123.88
2005	113.56
2006	140.93
2007 (estimated)	140.93

Estimated Total Taxes	\$519.30
Interest	15.69
Costs	16.00
Deed	8.00
	<hr/>
Total	\$558.99

Recommendation: Sell to Jackson, Mary A. for \$558.99. If she does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$575.00.

Albany Township, Oxford County

Map OX016, Plan 1, Lot 131 178020149-1

Deroche, Raymond J. 0.15 acre

Recommendation: Sell to Griffin, Mason for \$359.14. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$375.00.

TAX LIABILITY

2004	\$21.65
2005	22.95
2006	26.96
2007 (estimated)	26.96

Estimated Total	\$98.52
Taxes	
Interest	2.87
Costs	16.00
Deed	8.00
Total	\$125.39

Recommendation: Sell to Deroche, Raymond J. for \$125.39. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$150.00.

Albany Township, Oxford County

Map OX016, Plan 2, Lot 160.3 178022034-1

Griffin, Mason 2.5 acres

T5 R7 WELS, Penobscot County

Map PE017, Plan 3, Lot 10 198270053-1

Landry, Barbara A. 0.67 acre

TAX LIABILITY

2004	\$100.63
2005	101.36
2006	155.72
2007 (estimated)	155.72

Estimated Total	\$513.43
Taxes	
Interest	13.11
Costs	16.00
Deed	8.00
Total	\$550.54

Recommendation: Sell to Landry, Barbara A. for \$550.54. If she does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$575.00.

Grand Falls Township, Penobscot County

Map PE037, Plan 2, Lot 1.1 192500038-1

Brackett, Ron 12.4 acres and building

TAX LIABILITY

2004	\$71.32
2005	75.58
2006	89.40
2007 (estimated)	89.40

Estimated Total	\$325.70
Taxes	
Interest	9.44
Costs	16.00
Deed	8.00
Total	\$359.14

TAX LIABILITY

2004	\$220.49
2005	121.13
2006	121.44
2007 (estimated)	121.44

Estimated Total	\$584.50
Taxes	
Interest	24.69

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Costs	16.00
Deed	8.00
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Total	\$633.19

Recommendation: Sell to Brackett, Ron for \$633.19. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$650.00.

Grand Falls Township, Penobscot County

Map PE037, Plan 3, Lots 33, 34 192500063-2

Riddle, Valerie 31.6 acres and building

TAX LIABILITY

2004	\$213.85
2005	312.99
2006	326.35
2007 (estimated)	326.35
<hr/>	
Estimated Total	\$1,179.54

Taxes	
Interest	31.77
Costs	16.00
Deed	8.00
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Total	\$1,235.31

Recommendation: Sell to Riddle, Valerie for \$1,235.31. If she does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$1,250.00.

Prentiss Township, Penobscot County

Map PE038, Plan 2, Lot 32.1 195400036-1

Grant, Steven L. and Victoria 51 acres

TAX LIABILITY

2003	\$2,600.20
2004	0.00
2005	187.79

2006	192.65
2007 (estimated)	192.65
<hr/>	
Estimated Total	\$3,173.29

Taxes	
Interest	413.32
Costs	16.00
Deed	8.00
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Total	\$3,610.61

Recommendation: Sell to Grant, Steven L. and Victoria for \$3,610.61. If they do not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$3,625.00.

Prentiss Township, Penobscot County

Map PE038, Plan 11, Lot 21 195400197-1

Keough, George and Damian Santiago 41 acres

TAX LIABILITY

2004	\$146.99
2005	148.06
2006	151.52
2007 (estimated)	151.52
<hr/>	
Estimated Total	\$598.09

Taxes	
Interest	19.15
Costs	16.00
Deed	8.00
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Total	\$641.24

Recommendation: Sell to Keough, George and Damian Santiago for \$641.24. If they do not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$650.00.

Prentiss Township, Penobscot County
 Map PE038, Plan 3, Lot 17 195400087-2
 Shay, Peter A. 6.6 acres

Recommendation: Sell to Melanson, Tanya I., David S., Robert B. and Jennifer K. for \$126.09. If they do not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$150.00.

TAX LIABILITY

2004	\$88.22
2005	88.86
2006	86.13
2007 (estimated)	86.13
<hr/>	
Estimated Total Taxes	\$349.34
Interest	11.49
Costs	16.00
Deed	8.00
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Total	\$384.83

Recommendation: Sell to Shay, Peter A. for \$384.83. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$400.00.

Orneville Township, Piscataquis County
 Map PI082, Plan 2, Lot 46.1 218210621-1
 Melanson, Tanya I., David S., Robert B. and Jennifer K. 27 acres

TAX LIABILITY

2004	\$26.68
2005	24.93
2006	23.54
2007 (estimated)	23.54
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Estimated Total Taxes	\$98.69
Interest	3.40
Costs	16.00
Deed	8.00
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Total	\$126.09

T9 R4 NBPP, Washington County

Map WA027, Plan 1, Lot 13.2 298060101-1
 Wampler, Harold III 72 acres

TAX LIABILITY

2004	\$185.95
2005	191.15
2006	195.27
2007 (estimated)	195.27
<hr/>	
Estimated Total Taxes	\$767.64
Interest	24.38
Costs	16.00
Deed	8.00
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Total	\$816.02

Recommendation: Sell to Wampler, Harold III for \$816.02. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$825.00.

T9 R4 NBPP, Washington County

Map WA0027, Plan 2, Lots 20, 21 298060102-1
 Wampler, Maxine 5.21 acres and building

TAX LIABILITY

2004	\$2,076.23
2005	2,134.29
2006	2,601.72
2007 (estimated)	2,601.72
<hr/>	
Estimated Total Taxes	\$9,413.96

Interest	272.23
Costs	16.00
Deed	8.00

Total \$9,710.19

Recommendation: Sell to Wampler, Maxine for \$9,710.19. If she does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$9,725.00.

Brookton Township, Washington County

Map WA028, Plan 2, Lot 20 298010046-2

Porter, Vinal 1.1 acres

TAX LIABILITY

2004	\$54.59
2005	53.10
2006	53.39
2007 (estimated)	53.39

Estimated Total \$214.47

Taxes	
Interest	7.04
Costs	16.00
Deed	8.00

Total \$245.51

Recommendation: Sell to Porter, Vinal for \$245.51. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$250.00.

Trescott Township, Washington County

Map WA032, Plan 1, Lot 124 298110528-1

Lyons, Marie I. 5.42 acres

TAX LIABILITY

2003	\$77.77
2004	80.28

2005	82.53
2006	66.06
2007 (estimated)	66.06

Estimated Total \$372.70

Taxes	
Interest	32.31
Costs	16.00
Deed	8.00

Total \$429.01

Recommendation: Sell to Lyons, Marie I. for \$429.01. If she does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$450.00.

See title page for effective date.

CHAPTER 66

S.P. 510 - L.D. 1462

Resolve, Regarding the Department of Audit's Municipal Internal Control Observation Program

Sec. 1. Working group established. Resolved: That the Department of Audit shall create a working group to clarify the requirements of the municipal internal control observation program, the contents and expectations of the program as publicized on the Department of Audit's website, whether the intent and focus of the program is on fraud or education and whether the program requires mandatory participation by municipalities. The working group must include representatives from the Maine Municipal Association, municipal officials and other interested parties; and be it further

Sec. 2. Report. Resolved: That the Department of Audit shall report the working group's conclusions under section 1 to the Joint Standing Committee on State and Local Government no later than January 15, 2008. The joint standing committee may submit legislation on the municipal internal control observation program to the Second Regular Session of the 123rd Legislature.

See title page for effective date.