

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

SECOND REGULAR SESSION
January 2, 2008 to March 31, 2008

FIRST SPECIAL SESSION
April 1, 2008 to April 18, 2008

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 2008

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
JULY 18, 2008

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

Penmor Lithographers
Lewiston, Maine
2008

- B. One member who has been a consumer of long-term home-based and community-based care; and
- 3. One member of the Governor's office designated by the Governor at the Speaker's request; and be it further

Sec. 3. Chairs. Resolved: That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission; and be it further

Sec. 4. Appointments; convening of commission. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. Within 15 days after appointment of all members, the chairs shall call and convene the first meeting of the commission, which must be no later than 30 days following the appointment of all members; and be it further

Sec. 5. Duties. Resolved: That the commission shall examine and make recommendations on the development of choices to meet unmet needs and financing options to ensure access to and affordability of long-term home-based and community-based care. Given that the State has the oldest median age of any state in the nation, the commission shall create a coherent blueprint to ensure the sustainability of long-term home-based and community-based care options that provide choice and quality for the State's elderly and disabled citizens, many of whom are eligible for home-based and community-based care services and are not receiving them, forcing them into more costly institutional care; and be it further

Sec. 6. Staff assistance. Resolved: That, notwithstanding Joint Rule 353, the Legislative Council shall provide necessary staffing services to the commission; and be it further

Sec. 7. Outside funding. Resolved: That the commission shall seek outside funding to fully fund all costs of the commission and in accordance with the policy of the Legislative Council with regard to outside funding. If sufficient outside funding has not been received by the commission by October 1, 2008 to fully fund all costs of the commission, no meetings are authorized and no expenses of any kind may be incurred or reimbursed; and be it further

Sec. 8. Report. Resolved: That, no later than November 5, 2008, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the First Regular Session of the 124th Legislature; and be it further

Sec. 9. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

LEGISLATURE

Study Commissions - Funding 0444

Initiative: Provides an allocation to the Legislature in fiscal year 2008-09 to fund per diem and other expenses of this study.

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
Personal Services	\$0	\$1,320
All Other	\$0	\$2,750
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$4,070

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

Effective April 17, 2008.

**CHAPTER 210
H.P. 115 - L.D. 123**

**Resolve, To Support the
Inclusion of Labor Education
at Maine Public Institutions of
Higher Education**

Sec. 1. Support inclusion of labor education at Maine public institutions of higher education. Resolved: That the Legislature supports the inclusion of labor education as part of a comprehensive course offering at all Maine public institutions of higher education. For purposes of this resolve, "labor education" refers to, but is not limited to, the history and role of working people and the labor movement in public policy and topics such as workers' compensation, unemployment insurance, collective bargaining and labor law.

See title page for effective date.

**CHAPTER 211
H.P. 61 - L.D. 63**

**Resolve, To Study Ways To
Increase Access to After-school
Programs**

Sec. 1. Study. Resolved: That the Department of Health and Human Services and the Depart-

ment of Education shall, within existing resources, gather information pertaining to methods to establish and fund after-school programs in communities that currently do not have after-school programs. In gathering this information the departments shall seek input from the Maine Afterschool Network and shall report the results to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs by January 15, 2009. After receipt and review of the report, the joint standing committee is authorized to submit legislation to the First Regular Session of the 124th Legislature regarding the subject matter of the report.

See title page for effective date.

CHAPTER 212

H.P. 249 - L.D. 305

Resolve, To Investigate the Possibility of Expanding Cellular Telephone Service in Certain Rural Areas

Sec. 1. St. Francis tower. Resolved: That the Department of Administrative and Financial Services shall investigate the possibility of negotiating with providers of cellular telephone services for lease of the state-owned tower in St. Francis for the expansion of cellular telephone services in northern Maine. The department shall report the results of its investigation to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs by January 15, 2009. The committee is authorized to submit legislation, as necessary, to the First Regular Session of the 124th Legislature regarding the subject matter of the report.

See title page for effective date.

CHAPTER 213

H.P. 394 - L.D. 511

Resolve, To Study the Feasibility of Locating a Border Crossing in the St. David Area

Sec. 1. Study. Resolved: That the Department of Transportation shall study the feasibility of locating a border crossing in the St. John River Valley including the St. David area. In undertaking this study, the department shall invite the participation of and seek

input from the New Brunswick Department of Transportation and the United States General Services Administration.

See title page for effective date.

CHAPTER 214

H.P. 1583 - L.D. 2217

Resolve, Authorizing the State Tax Assessor To Sell 2 Certain Parcels of Land 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 a parcel located in Albany Township, Oxford County formerly owned by Mason Griffin and in a parcel located in Madrid Township, Franklin County formerly owned by Mary A. Jackson. The parcels may not be sold for less than the amount authorized in this resolve.

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

Upon receipt of payment as specified in this resolve, the State Tax Assessor shall record a quitclaim 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; and be it further

Sec. 2. Description of parcel in Albany Township; sale. Resolved: That the parcel of real estate situated in Albany Township is Map OX016, Plan 2, Lot 160.3, formerly owned by Mason Griffin. The State Tax Assessor is directed to sell the parcel as is to the estate of Mason Griffin for \$359.14. The directive to sell to the estate of Mason Griffin expires 90 days after the effective date of this resolve; and be it further

Sec. 3. Description of parcel in Madrid Township; sale. Resolved: That the parcel of real estate situated in Madrid Township is Map FR029, Plan 9, Lots 8 and 11, formerly owned by Mary A. Jackson. The State Tax Assessor is directed to sell the parcel as is to the estate of Mary A. Jackson for \$558.99. The directive to sell to the estate of Mary A. Jackson expires 90 days after the effective date of this resolve; and be it further