

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 3, 2008 to June 13, 2009**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 12, 2009**

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

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**Augusta, Maine**  
**2009**

**RESOLVE, C. 8**

**FIRST REGULAR SESSION - 2009**

Interest	17.77
Costs	26.00
Deed	8.00
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Total	\$383.64

Recommendation: Sell to Noons, William for \$383.64. 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.

T1 R1 NBKP (Rockwood Strip), Somerset County

Map SO033, Plan 8, Lots 36.6, 258440128-2  
36.7 and 36.8

McCormick, George R., Jr. 0.31 acre and building

**TAX LIABILITY**

2005	\$69.42
2006	180.09
2007	177.72
2008	278.57
2009 (estimated)	278.57
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Estimated Total Taxes	\$984.37
Interest	51.56
Costs	26.00
Deed	8.00
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Total	\$1,069.93

Recommendation: Sell to McCormick, George R., Jr. for \$1,069.93. 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 \$1,075.00.

T10 R3 NBPP, Washington County

Map WA024, Plan 2, Lot 1 298050016-1

Craig, Sherwood H. 15.25 acres

**TAX LIABILITY**

2006	\$340.36
2007	323.00

2008	297.14
2009 (estimated)	297.14
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Estimated Total Taxes	\$1,257.64
Interest	70.43
Costs	26.00
Deed	8.00
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Total	\$1,362.07

Recommendation: Sell to Craig, Sherwood H. for \$1,362.07. 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 \$1,375.00.

See title page for effective date.

**CHAPTER 8**

**H.P. 70 - L.D. 80**

**Resolve, Regarding Legislative Review of Portions of Chapter 33: Rules for the Certification of Family Child Care Providers, a Major Substantive Rule of the Department of Health and Human Services, Division of Licensing and Regulatory Services**

**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 33: Rules for the Certification of Family Child Care Providers, a provisionally adopted major substantive rule of the Department of Health and Human Services, Division of Licensing and Regulatory Services 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 legislation takes effect when approved.

Effective April 16, 2009.

**CHAPTER 9**

**H.P. 392 - L.D. 554**

**Resolve, To Allow the Department of Transportation To Transfer Certain Land to the Greater Grand Isle Historical Society**

**Sec. 1. Governor to convey certain real estate. Resolved:** That the Governor, upon recommendation of the Commissioner of Transportation, shall transfer the State's fee interest in a parcel of land located in the Town of Grand Isle to the Greater Grand Isle Historical Society. The parcel of land is known as the Grand Isle Picnic and Rest Area.

See title page for effective date.

**CHAPTER 10**

**H.P. 337 - L.D. 449**

**Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell or Lease the Interests of the State in Certain Real Property Located at 17 School Street in Benedicta, Aroostook County**

**Sec. 1. Authority to convey state property. Resolved:** That, notwithstanding any other provision of law, the State, by and through the Commissioner of Administrative and Financial Services, may:

1. Enter into a lease or leases or convey by sale the interests of the State in the state property described in section 2 with the buildings and improvements, together with all appurtenant rights and easements, and all personal property located on that property, including vehicles, machinery, equipment and supplies;

2. Negotiate, draft, execute and deliver any documents necessary to settle any boundary line discrepancies;

3. Exercise, pursuant to the Maine Revised Statutes, Title 23, chapter 3, subchapter 3, the power of eminent domain to quiet for all time any possible challenges to ownership of the state property;

4. Negotiate, draft, execute and deliver any easements or other rights that, in the commissioner's discretion, may contribute to the value of a proposed sale or lease of the State's interests; and

5. Release any interests in the state property that, in the commissioner's discretion, do not contribute to the value of the remaining state property; and be it further

**Sec. 2. Property interests that may be conveyed. Resolved:** That the state property authorized to be sold or leased is:

1. A parcel of land in Benedicta Township occupied by the Benedicta Elementary School consisting of approximately 8.34 acres conveyed to the Town of Benedicta School District in May 1975 and recorded in the Aroostook County Southern Registry of Deeds, Volume 1180, Page 171; and be it further

**Sec. 3. Property to be sold as is. Resolved:** That the Commissioner of Administrative and Financial Services may negotiate and execute leases and purchase and sale agreements upon terms the commissioner considers appropriate; however, the state property described in section 2 must be sold "as is," with no representations or warranties.

Title must be transferred by quitclaim deed without covenant or release deed and executed by the commissioner; and be it further

**Sec. 4. Exemptions. Resolved:** That any lease or conveyance pursuant to this resolve is exempt from any statutory or regulatory requirement that the state property described in section 2 first be offered to the Maine State Housing Authority or another state or local agency; and be it further

**Sec. 5. Appraisal. Resolved:** That the Commissioner of Administrative and Financial Services shall have the current market value of the state property described in section 2 determined by an independent appraiser. The commissioner may list the state property for sale or lease with private real estate brokers at the state property's appraised value and negotiate any sales or leases, solicit bids, sell directly to purchasers or enter directly into leases with tenants. The commissioner may reject any offers; and be it further

**Sec. 6. Proceeds. Resolved:** That any proceeds from the sale or lease of unorganized territory property pursuant to this resolve must be deposited into the Unorganized Territory Education and Services