

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

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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.

Augusta, Maine
2009

the Bangor and Aroostook Trail, so-called, for fair market value and on such terms and conditions as the director may direct including maintenance and safety obligations and responsibilities. The easement may be granted to any party and may be to benefit any property, including but not limited to property currently controlled by Mid-Ozarks Investments, LLC, located on the Lake Road in the Town of Van Buren; and be it further

Sec. 3. Director of Bureau of Parks and Lands authorized, but not directed, to convey certain interests in land in the Town of Brownville, Piscataquis County. Resolved: That the Director of the Bureau of Parks and Lands within the Department of Conservation may by quitclaim deed without covenant convey access rights either by fee or easement over an old woods road and portions of other lands owned by the bureau, for appraised fair market value, and on such other terms and conditions as the director may direct, including maintenance and safety obligations and responsibilities. The lands owned by the bureau, a portion of which may be conveyed, consist of approximately 20 acres consisting of an old gravel pit and woods road and other lands adjacent to the Katahdin Iron Works Multi-use Trail off Front Street in the Town of Brownville, recorded in the Piscataquis County Registry of Deeds in Book 1577, Page 267. The easement may be granted to any party and may be to benefit any property, including but not limited to property currently controlled by abutter Paul Foulkes or his successors or assigns; and be it further

Sec. 4. Director of Bureau of Parks and Lands authorized, but not directed, to convey certain minority interests in land in T12 R17 WELS, Aroostook County. Resolved: That the Director of the Bureau of Parks and Lands within the Department of Conservation may by quitclaim deed without covenant, for appraised fair market value, and on such other terms and conditions as the director may direct, convey any and all minority interests in common undivided interests in lands owned by the Bureau of Parks and Lands in T12 R17 WELS to any party. The minority common undivided interests owned by the Bureau of Parks and Lands are estimated to be approximately 1,006 unlocated acres; and be it further

Sec. 5. Director of Bureau of Parks and Lands authorized, but not directed, to convey certain interests in land in T5 R13 WELS, Chesuncook Township, Piscataquis County. Resolved: That the Director of the Bureau of Parks and Lands within the Department of Conservation may by quitclaim deed without covenant, for negotiated value, and on such other terms and conditions as the director may direct, convey or release a parcel of land to Bruce Bailey as the Successor Trustee of the Bailey Family Trust, such land described in a boundary survey performed by AMES A/E entitled, "Bailey, Sur-

prenant, State of Maine, and Piscataquis County - Final Disposition Plan" dated September 11, 2007 and revised March 4, 2008. The parcel contains approximately 12/100 of an acre and is a portion of those premises conveyed by Ansel B. Smith, et al., to James Henderson by deed recorded on August 8, 1927 in Book 228, Page 94 in the Piscataquis County Registry of Deeds. Said parcel is also a portion of those premises conveyed by Peter Simmons a/k/a Peter E. Simmons, Trustee of the Simmons Trust, to Bruce W. Bailey, Successor Trustee of the Bailey Family Trust, by deed dated May 7, 2006 and recorded in Book 1744, Page 243 in the Piscataquis County Registry of Deeds; and be it further

Sec. 6. Director of Bureau of Parks and Lands authorized, but not directed, to convey certain interests in land in T5 R13 WELS, Chesuncook Township, Piscataquis County. Resolved: That the Director of the Bureau of Parks and Lands within the Department of Conservation may by quitclaim deed without covenant, for negotiated value, and on such other terms and conditions as the director may direct, convey or release a parcel of land to the government of Piscataquis County, such land described in a boundary survey performed by AMES A/E entitled, "Bailey, Surprenant, State of Maine, and Piscataquis County - Final Disposition - Main Street Chesuncook Village" dated September 11, 2007 and revised March 4, 2008. The parcel contains approximately 63/100 of an acre and is a portion of the property conveyed by Ansell Smith to the Inhabitants of the Plantation of Chesuncook by deed dated August 30, 1924, and recorded in Book 218, Page 310 in the Piscataquis County Registry of Deeds; and Great Northern Nekoosa Corp. to the State of Maine by deed dated November 12, 1975 and recorded in Book 434, Page 486 in the Piscataquis County Registry of Deeds. The parcel also contains portions of those premises reserved in a deed from the heirs of Ansell Smith to Great Northern Paper Company dated December 1, 1929 and recorded in Book 234, Page 358 in the Piscataquis County Registry of Deeds.

See title page for effective date.

CHAPTER 65

H.P. 949 - L.D. 1348

Resolve, To Provide Grants to Public Educational and Municipal Entities for Feasibility Studies of Renewable Energy Projects

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, promoting renewable energy and promoting energy efficiency are significant priorities of the federal American Recovery and Reinvestment Act of 2009; and

Whereas, significant funding from the federal American Recovery and Reinvestment Act of 2009 will be disbursed to the Public Utilities Commission in the immediate future for energy initiatives, including renewable energy programs; 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. Feasibility studies for renewable energy projects. Resolved: That the Public Utilities Commission shall, to the extent allowed, apply federal funds received by the commission under the federal American Recovery and Reinvestment Act of 2009 to provide grants to public educational and municipal entities to conduct feasibility studies for the installation and operation of cost-effective renewable energy projects on public property. For purposes of this section, "public educational and municipal entities" includes the University of Maine System, the Maine Maritime Academy, the Maine Community College System, counties, municipalities, quasi-municipal corporations or districts and school administrative units, and "public property" means land, structures, facilities and other real property under the ownership or control of public educational and municipal entities.

Subject to the availability of funds and qualified applicants, the commission shall select grant recipients for feasibility studies under this section and shall determine the amount of funding distributed to each recipient. In selecting grant recipients under this section, the commission shall give priority to proposals from public educational and municipal entities that have committed to fund at least 10% of the cost of the feasibility study either in a financial commitment or an equivalent value of volunteer or in-kind contributions as determined by the commission; and be it further

Sec. 2. Rules. Resolved: That the Public Utilities Commission may adopt rules, as necessary, to implement this resolve. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A; and be it further

Sec. 3. Reports. Resolved: That the Public Utilities Commission shall prepare and submit an interim report and a final report to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters regarding grants provided to public educational and municipal entities to conduct

feasibility studies for installation and operation of renewable energy projects on public property in accordance with section 1. The interim report must be submitted no later than April 1, 2010, and the final report must be submitted no later than December 31, 2011.

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

Effective May 22, 2009.

CHAPTER 66

S.P. 273 - L.D. 724

Resolve, To Create a Working Group To Provide Transparency Concerning Operating Expenses for Hospitals

Sec. 1. Convene working group. Resolved: That the Maine Health Data Organization and the Governor's Office of Health Policy and Finance shall convene a working group to examine and make recommendations for hospital data reporting that will provide transparency concerning operating expenses, including, but not limited to, annual operating budgets and other financial information. The working group must include representatives of the Maine Hospital Association, the Maine Health Data Organization and the Governor's Office of Health Policy and Finance and any other stakeholders needed to determine the appropriate data sets, schedules and format of the data and reports. The Maine Health Data Organization and the Governor's Office of Health Policy and Finance shall provide the Joint Standing Committee on Health and Human Services and staff advance notice of the time and place of the meetings; and be it further

Sec. 2. Duties of working group. Resolved: That the working group under section 1 shall review current data being collected and identify additional data needed to provide transparency concerning operating expenses, including, but not limited to, annual operating budgets, income sources, profit-generating facilities, salary ranges by position, the value of transactions between hospitals and their affiliates and advertising. The working group shall identify all schedules, forms and methods needed for data collection as well as a deadline and a format for reporting the information to the Legislature; and be it further

Sec. 3. Report recommendations. Resolved: That, by January 1, 2010, the Maine Health Data Organization and the Governor's Office of Health Policy and Finance shall report to the Joint Standing Committee on Health and Human Services the findings and recommendations of the working