

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

SECOND REGULAR SESSION
January 6, 2010 to April 12, 2010

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 12, 2010

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

Augusta, Maine
2010

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 692: Siting of Oil Storage Facilities, a provisionally adopted major substantive rule of the Department of Environmental Protection 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 February 18, 2010.

CHAPTER 149

H.P. 1076 - L.D. 1526

Resolve, Regarding Legislative Review of Portions of Chapter 700: Wellhead Protection: Siting of Facilities That Pose a Significant Threat to Drinking Water, 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 700: Wellhead Protection: Siting of Facilities That Pose a Significant Threat to Drinking Water, a provisionally adopted major substantive rule of the Department of Environ-

mental Protection 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 February 18, 2010.

CHAPTER 150

S.P. 591 - L.D. 1533

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 individual or individuals 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, 2011.

Employees of the Department of Administrative 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 2007 State Valuation. Parcel descriptions are as follows:

2007 MATURED TAX LIENS

TC R2 WELS, Aroostook County

Map AR002, Plan 1, Lot 1 038140022-2

McCluskey, G. William Building on leased lot

TAX LIABILITY	
2007	\$80.69
2008	88.71
2009	114.18
2010 (estimated)	114.18
Estimated Total	\$397.76
Taxes	
Interest	19.85
Costs	26.00
Deed	8.00
Total	\$451.61

Recommendation: Sell to McCluskey, G. William for \$451.61. 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 \$475.00.

T15 R6 WELS, Aroostook County

Map AR034, Plan 1, Lot 14.2 038800019-1

Ely, Wilma Trustee U/D/T 1.38 acres

TAX LIABILITY	
2007	\$33.66
2008	33.40
2009	42.98
2010 (estimated)	42.98
Estimated Total	\$153.02
Taxes	
Interest	8.06
Costs	26.00
Deed	8.00

Total \$195.08

Recommendation: Sell to Ely, Wilma Trustee U/D/T for \$195.08. 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 \$200.00.

Connor TWP, Aroostook County

Map AR105, Plan 2, Lots 58 and 59 038020284-2

IMC Global 7.23 acres

TAX LIABILITY	
2007	\$47.67
2008	47.31
2009	60.89
2010 (estimated)	60.89
Estimated Total	\$216.76
Taxes	
Interest	11.42
Costs	26.00
Deed	8.00
Total	\$262.18

Recommendation: Sell to IMC Global for \$262.18. If IMC Global 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.

Connor TWP, Aroostook County

Map AR105, Plan 2, Lot 74 038020128-1

Lancaster, Claude V. & Arlene 4.8 acres

TAX LIABILITY	
2007	\$54.26
2008	53.84
2009	69.30
2010 (estimated)	69.30

Estimated Total	\$246.70
Taxes	
Interest	13.00
Costs	26.00
Deed	8.00
Total	\$293.70

Recommendation: Sell to Lancaster, Claude V. & Arlene for \$293.70. 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.

Adamstown TWP, Oxford County

Map OX008, Plan 4, Lot 9.1 178012005-2

Donatelli, John Clark 6.9 acres and building

TAX LIABILITY

2006	\$2,978.52
2007	7,363.78
2008	7,206.66
2009	9,053.56
2010 (estimated)	9,053.56
Estimated Total	\$35,656.08
Taxes	
Interest	1,689.03
Costs	26.00
Deed	8.00
Total	\$37,379.11

Recommendation: Sell to Donatelli, John Clark for \$37,379.11. 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 \$37,400.00.

T3 Indian Purchase, Penobscot County

Map PE032, Plan 10, Lots 1, 1.1, 2 and 93 198060019-1

Willett, John R. Building on leased lot

TAX LIABILITY

2007	\$2,089.51
2008	2,114.32
2009	1,631.35
2010 (estimated)	1,631.35
Estimated Total	\$7,466.53
Taxes	
Interest	502.97
Costs	26.00
Deed	8.00
Total	\$8,003.50

Recommendation: Sell to Willett, John R. for \$8,003.50. 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 \$8,025.00.

T4 Indian Purchase, Penobscot County

Map PE033, Plan 1, Lot 1 198070331-2

Wilson, Patricia Building on leased lot

TAX LIABILITY

2007	\$980.42
2008	992.07
2009	1,228.86
2010 (estimated)	1,228.86
Estimated Total	\$4,430.21
Taxes	
Interest	236.00
Costs	26.00
Deed	8.00
Total	\$4,700.21

Recommendation: Sell to Wilson, Patricia for \$4,700.21. 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 \$4,725.00.

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Argyle TWP, Penobscot County

Map PE035, Plan 1, Lots 21 and 23 198010020-2

Baldyga, Stanley 20 acres

Total \$955.54

Recommendation: Sell to O'Brien, Mrs. John for \$955.54. 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 \$975.00.

TAX LIABILITY

2005	\$103.49
2006	103.53
2007	101.71
2008	102.92
2009	124.49
2010 (estimated)	124.49

Estimated Total Taxes \$660.63

Interest	57.65
Costs	26.00
Deed	8.00

Total \$752.28

Recommendation: Sell to Baldyga, Stanley for \$752.28. 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 \$775.00.

Greenfield TWP, Penobscot County

Map PE039, Plan 8, Lot 56 192700316-1

O'Brien, Mrs. John 60 acres

T2 R1 BKP WKR, Somerset County

Map SO01, Plan 1, Lots 100.61 and 100.7 258310179-1

Long, Milford 2.29 acres and building

TAX LIABILITY

2007	\$275.81
2008	334.97
2009	497.58
2010 (estimated)	497.58

Estimated Total Taxes \$1,605.94

Interest	69.74
Costs	26.00
Deed	8.00

Total \$1,709.68

Recommendation: Sell to Long, Milford for \$1,709.68. 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 \$1,725.00.

TAX LIABILITY

2007	\$193.66
2008	195.96
2009	242.65
2010 (estimated)	242.65

Estimated Total Taxes \$874.92

Interest	46.62
Costs	26.00
Deed	8.00

T1 R1 NBKP (Taunton & Raynham), Somerset County

Map SO031, Plan 5, Lot 8.4 258030184-1

Sokolewicz, Gene 40 acres

TAX LIABILITY

2005	\$3,480.83
2006	102.29
2007	38.23

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2008	47.64
2009	48.84
2010 (estimated)	48.84

Estimated Total	\$3,766.67
Taxes	
Interest	1,059.98
Costs	26.00
Deed	8.00

Total	\$4,860.65
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Recommendation: Sell to Sokolewicz, Gene for \$4,860.65. 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 \$4,875.00.

T9 R4 NBPP, Washington County

Map WA027, Plan 1, Lot 21

298060029-1

Ely, Wilma E.

1 acre

TAX LIABILITY

2007	\$30.97
2008	28.49
2009	34.41
2010 (estimated)	34.41

Estimated Total	\$128.28
Taxes	
Interest	7.28
Costs	26.00
Deed	8.00

Total	\$169.56
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Recommendation: Sell to Ely, Wilma E. for \$169.56. 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 \$175.00.

Marion TWP, Washington County

Map WA031, Plan 2, Lot 45

298100068-1

Gardner, Moffat A. C.

30 acres

TAX LIABILITY

2007	\$96.26
2008	88.55
2009	106.95
2010 (estimated)	106.95

Estimated Total	\$398.71
Taxes	
Interest	22.64
Costs	26.00
Deed	8.00

Total	\$455.35
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Recommendation: Sell to Gardner, Moffat A. C. for \$455.35. 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 \$475.00.

Trescott TWP, Washington County

Map WA032, Plan 5, Lots 54 and 55

298110175-2

Hunting, Robert Samuel Coulter

0.61 acre

TAX LIABILITY

2007	\$19.59
2008	18.02
2009	21.76
2010 (estimated)	21.76

Estimated Total	\$81.13
Taxes	
Interest	4.61
Costs	26.00
Deed	8.00

Total	\$119.74
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Recommendation: Sell to Hunting, Robert Samuel Coulter for \$119.74. 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 \$125.00.

See title page for effective date.

CHAPTER 151

S.P. 677 - L.D. 1764

Resolve, To Support the Development of Maine's Economic Future by Promoting Science, Technology, Engineering and Math 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 Department of Education and the University of Maine System have submitted a report to the Joint Standing Committee on Education and Cultural Affairs pursuant to Resolve 2009, Chapter 98, "Resolve, To Understand and Assist Efforts to Promote Science, Technology, Engineering and Math Education"; and

Whereas, this report on the status of Maine science, technology, engineering and mathematics learning initiatives notes that limited gains in student scores in mathematics and science on the National Assessment of Educational Progress, and unfavorable comparisons to student performance in other countries, are factors that are leading to a significant focus on science, technology, engineering and mathematics education in the State and the nation; and

Whereas, this report proposes that, by conducting a study, the Department of Education can further promote science, technology, engineering and mathematics learning initiatives in Maine while assisting Maine in documenting the current efforts necessary to enable the department to complete a successful application to the federal Race to the Top competitive grant fund; and

Whereas, it is necessary to enact this legislation immediately so that the Department of Education may submit the State's application for the federal Race to the Top competitive grant program by the deadline of June 2010; 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. State plan for science, technology, engineering and mathematics learning. Resolved: That the Legislature supports the development of a state plan for the learning of science, technology, engineering and mathematics, in order that the Department of Education may submit the State application for the federal Race to the Top competitive grant program established under sections 14005 and 14006 of the federal American Recovery and Reinvestment Act of 2009 prior to the Phase Two deadline for applications in June 2010. The Department of Education shall conduct a study to provide comprehensive baseline data to support State and local efforts to improve science, technology, engineering and mathematics learning. The department shall use its review of existing plans related to the following three aspects of the priority on science, technology, engineering and mathematics, identified by the federal Department of Education; learning shall be used to develop a strategic plan that addresses the need to:

1. Offer a rigorous course of study in mathematics, the sciences, technology, and engineering;

2. Cooperate with industry experts, museums, universities, research centers, and other community partners to prepare and assist teachers in integrating science, technology, engineering and mathematics content across grades and disciplines, in promoting effective and relevant instruction, and in offering applied learning opportunities for students; and

3. Prepare more students for advanced study and careers in the sciences, technology, engineering, and mathematics, including by addressing the needs of underrepresented groups and of women and girls in the areas of science, technology, engineering and mathematics.

The Department of Education shall consult with educational partners at the University of Maine System and the Maine Community College System in the development of the strategic plan to ensure that the State application for the federal Race to the Top competitive grant program includes a high quality plan that addresses all three aspects of the science, technology, engineering and mathematics priority established by the United States Education Department. The Department of Education shall produce the strategic plan by May 15, 2010; and be it further

Sec. 2. Department of Education review. Resolved: That the Department of Education shall review existing state learning standards for kindergarten to grade 12 public education to determine whether students have sufficient opportunity to develop the skills and gain the knowledge that will be incorporated as part of a national assessment of technological liter-