

# 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.**

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**Augusta, Maine**  
**2010**

1. Department of Inland Fisheries and Wildlife radio broadcasts;
2. Placing signs about aquatic invasive plant species on Interstate 95;
3. Prominently publishing information about aquatic invasive plant species on the departments' publicly accessible websites;
4. E-mailing aquatic invasive plant species alerts to e-mail addresses contained in databases of the Department of Inland Fisheries and Wildlife; and
5. Improving communication with sporting and tourist camps and professional guides; and be it further

**Sec. 4. Working group. Resolved:** That the Department of Environmental Protection and the Department of Inland Fisheries and Wildlife shall facilitate the continued work of an aquatic invasive plant species working group that includes the Maine Congress of Lake Associations, a statewide sporting group, bass fishing clubs and any other person or entity that the working group determines is necessary to conduct its work. The working group shall continue its work exploring initiatives related to aquatic invasive plant species and collaborate with the Interagency Task Force on Invasive Aquatic Plants and Nuisance Species established pursuant to the Maine Revised Statutes, Title 5, section 12004-D. The working group shall assign a chair, who is in charge of convening the meetings and keeping notes of discussions. The working group shall hold meetings before January 1, 2011 and may continue its work after that date as needed; and be it further

**Sec. 5. Report. Resolved:** That the Department of Environmental Protection and the Department of Inland Fisheries and Wildlife shall report to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters, the joint standing committee of the Legislature having jurisdiction over natural resources matters and the Interagency Task Force on Invasive Aquatic Plants and Nuisance Species, established pursuant to the Maine Revised Statutes, Title 5, section 12004-D, by January 2, 2011 regarding matters contained in this resolve and on any new aquatic invasive plant species infestations identified; and be it further

**Sec. 6. Funding. Resolved:** That the Department of Environmental Protection and the Department of Inland Fisheries and Wildlife shall meet the requirements of this resolve within existing resources but may accept outside funding to supplement those resources.

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

Effective April 6, 2010.

**CHAPTER 204**  
**H.P. 1204 - L.D. 1703**

**Resolve, To Implement the  
Recommendations of the  
Juvenile Justice Task Force**

**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 Legislature recognizes the immediate need to better coordinate services for juveniles in order to improve and protect their educational opportunities, safety and health; 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. Coordinated services district system. Resolved:** That the Department of Corrections, the Department of Education, the Department of Health and Human Services and the Department of Labor shall develop a jointly agreed-upon statewide coordinated services district system by June 1, 2010. The system shall coordinate and implement service delivery initiatives to increase high school graduation rates, reduce the number of youth in the juvenile justice system, reduce child abuse and neglect and increase employment opportunities for youth. The system shall work with and report to the Children's Cabinet and the commissioners who are members of the cabinet; and be it further

**Sec. 2. Create and coordinate a service system. Resolved:** That the Department of Corrections, in cooperation with the Department of Health and Human Services, the Department of Education and the Department of Labor, shall work with the coordinated services district system developed under section 1 and the Children's Cabinet to coordinate services and to ensure flexible funding and timely response and provision of services. The coordinated services district system must be funded with existing resources; and be it further

**Sec. 3. Plan for in-home and out-of-home placements. Resolved:** That, by September 1, 2010, the Department of Corrections, in conjunction with the Department of Health and Human Services, shall develop a plan that will detail a statewide system for in-home and out-of-home placements for youth in the juvenile justice system. The plan must include funding options for emergency shelter placements, foster home placements and residential placements; and be it further

**Sec. 4. Plan that identifies ongoing mechanism to ensure provision of flexible funding for youth services from multiple agencies. Resolved:** That, by January 15, 2011, the Department of Corrections, the Department of Health and Human Services and the Department of Education shall together develop a plan that identifies an ongoing mechanism for providing flexible funding for youth who are served by multiple state agencies. The plan must include resources from public, private and non-profit sectors; and be it further

**Sec. 5. Report; legislation. Resolved:** That, by January 15, 2011, the Department of Corrections shall report to the joint standing committee of the Legislature having jurisdiction over juvenile justice issues progress on the implementation of this resolve.

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

Effective April 7, 2010.

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**CHAPTER 205**

**H.P. 1311 - L.D. 1825**

**Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell or Lease the Interests of the State in Certain Real Property Located at 187-189 State Street, Augusta, Known as the Smith-Merrill House, and at 159 Hogan Road, Bangor, known as the Elizabeth Levinson Center**

**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, pursuant to the Augusta State Facilities Master Plan:

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 and buildings on State Street in Augusta, known as the Smith-Merrill House, occupied by the State Planning Office, and any associated land as may be necessary in the determination of the Commissioner of Administrative and Financial Services; and

2. A parcel of land and building on Hogan Road in Bangor, known as the Elizabeth Levinson Center, occupied by United Cerebral Palsy of Maine, and any associated land as may be necessary in the determination of the Commissioner of Administrative and Financial Services; 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, but the state property described in section 2 must be sold "as is," with no representations or warranties.

The 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 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 the state property described in section 2 pursuant to this resolve must, as designated by the Commissioner of Administrative and Financial Services, be deposited as undedicated revenue to the General Fund, including any proceeds