

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

**CHAPTER 211
H.P. 1314 - L.D. 1827**

**Resolve, To Review the Waste
Motor Oil Disposal Site
Remediation Program**

Sec. 1. Stakeholder group. Resolved: That the Department of Environmental Protection, referred to in this resolve as "the department," shall coordinate a review of the waste motor oil disposal site remediation program under the Maine Revised Statutes, Title 10, chapter 110, subchapter 1-F, referred to in this resolve as "the program." The department shall invite the participation of a stakeholder group in the review. The group must include the State Tax Assessor or the assessor's designee, a representative of the Finance Authority of Maine, representatives of sellers and distributors of lubricating oil, consumers of lubricating oil, potentially responsible parties at the waste motor oil disposal sites identified in Title 10, section 963-A, subsection 51-E and new motor vehicle dealers and other interested parties. The review must include, but is not limited to, the following:

1. Revenue collections under the program;
2. Methods to enhance enforceability of payment of the premium pursuant to Title 10, section 1020, subsection 6-A under the program;
3. Funding options to increase revenue to support additional revenue obligation securities issuances under the program; and
4. The premium paid for prepackaged motor vehicle oil that is stored in the State, and then sold out-of-state.

By December 1, 2010, the department shall submit a written report of the findings of the review under this section and any recommendations concerning the review to the joint standing committee of the Legislature having jurisdiction over natural resources matters. The report may include suggested legislation.

See title page for effective date.

**CHAPTER 212
H.P. 1253 - L.D. 1759**

**Resolve, To Transfer the
Ownership of the Fort Kent
Armory from the Military
Bureau to the University of
Maine at Fort Kent**

Sec. 1. Fort Kent Armory ownership transfer. Resolved: That, notwithstanding the requirement in the Maine Revised Statutes, Title 37-B,

section 264 that the Fort Kent Armory property must be sold for no less than its appraised value, the Adjutant General is authorized to transfer the land and buildings constituting the Fort Kent Armory to the University of Maine at Fort Kent for \$150,000 by means of a quitclaim deed as long as the University of Maine at Fort Kent agrees to indemnify and hold harmless the State from all claims, including any environmental clean-up costs that may arise in connection with the land or the buildings constituting the armory. The University of Maine System may make payments for the ownership transfer in up to 5 annual installments; and be it further

Sec. 2. Use of proceeds from transfer of ownership. Resolved: That, notwithstanding the Maine Revised Statutes, Title 37-B, section 264, the payments made by the University of Maine System in connection with the transfer of the Fort Kent Armory from the Department of Defense, Veterans and Emergency Management to the University of Maine at Fort Kent under section 1 must be deposited by the State Controller into the Sale of State Property, Other Special Revenue Funds account within the Department of Administrative and Financial Services. As a first priority, the amount deposited must be used to meet the outstanding Maine Governmental Facilities Authority obligations associated with prior improvements to the armory. Any balance remaining after meeting the outstanding Maine Governmental Facilities Authority obligations, as determined by the Commissioner of Administrative and Financial Services, must be used for maintenance and repair costs at National Guard armories; and be it further

Sec. 3. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

**ADMINISTRATIVE AND FINANCIAL
SERVICES, DEPARTMENT OF**

**Public Improvements - Planning/Construction -
Administration 0057**

Initiative: Allocates funds to meet Maine Governmental Facilities Authority obligations for prior improvements to the Fort Kent Armory and for maintenance and repairs costs at National Guard armories.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$0	\$30,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$30,000

**ADMINISTRATIVE AND
FINANCIAL SERVICES,
DEPARTMENT OF**

DEPARTMENT TOTALS	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS	\$0	\$30,000
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DEPARTMENT TOTAL - ALL FUNDS	\$0	\$30,000

UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE

Educational and General Activities - UMS 0031

Initiative: Provides funds for the first installment payment to transfer ownership of the Fort Kent Armory to the University of Maine at Fort Kent.

GENERAL FUND	2009-10	2010-11
All Other	\$0	\$30,000
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GENERAL FUND TOTAL	\$0	\$30,000

UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$0	\$30,000
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DEPARTMENT TOTAL - ALL FUNDS	\$0	\$30,000

SECTION TOTALS	2009-10	2010-11
GENERAL FUND	\$0	\$30,000
OTHER SPECIAL REVENUE FUNDS	\$0	\$30,000
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SECTION TOTAL - ALL FUNDS	\$0	\$60,000

See title page for effective date.

**CHAPTER 213
H.P. 1139 - L.D. 1611**

Resolve, Directing the Department of Corrections To Coordinate Review of Due Process Procedures and To Ensure Transparency in Policies Regarding the Placement of Special Management Prisoners

Sec. 1. Commissioner of Corrections's review of due process and other policies related to placement of the special management prisoners at the Maine State Prison. Resolved:

That the Commissioner of Corrections shall, in consultation with the mental health and substance abuse focus group of the State Board of Corrections, review due process procedures and other policies related to the placement of special management prisoners. In its review of due process procedures and placement policies, the commissioner shall also consider and propose an appropriate timeline for regular reporting to the joint standing committee of the Legislature having jurisdiction over corrections matters; and be it further

Sec. 2. Reporting date established. Resolved:

That the Commissioner of Corrections shall report findings and recommendations pursuant to the report under section 1, including any suggested policy or legislative changes, to the joint standing committee of the Legislature having jurisdiction over corrections matters by January 15, 2011. Upon receiving that report, the committee may report out a bill to the 125th Legislature.

See title page for effective date.
