

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 2010 to June 29, 2011

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
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TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2011

equalizing hourly reimbursement rates across the direct care worker continuum; and

9. Designing and establishing effective quality management strategy across funding streams and population groups to ensure a high-quality long-term care service system; and be it further

Sec. 3. Report. Resolved: That the Commissioner of Health and Human Services shall report to the Joint Standing Committee on Health and Human Services on the progress of the Department of Health and Human Services in completing the Lean Implementation Plan action items under sections 1 and 2 by January 5, 2012.

See title page for effective date.

CHAPTER 72

S.P. 341 - L.D. 1132

Resolve, To Authorize the Exchange of Interest in Certain Lands Owned by the State

Preamble. The Constitution of Maine, Article IX, Section 23 requires that real estate held by the State for conservation or recreation purposes may not be reduced or its uses substantially altered except on the vote of 2/3 of all members elected to each House.

Whereas, certain real estate authorized for conveyance by this resolve is under the designations described in the Maine Revised Statutes, Title 12, section 598-A; and

Whereas, the Director of the Bureau of Parks and Lands within the Department of Conservation may sell or exchange lands or interests in lands with the approval of the Legislature in accordance with the Maine Revised Statutes, Title 5, section 6209 and Title 12, sections 1814, 1837 and 1851; now, therefore, be it

Sec. 1. Director of Bureau of Parks and Lands authorized, but not directed, to convey certain interests in land in Oxford County. Resolved:

That the Director of the Bureau of Parks and Lands within the Department of Conservation may by quitclaim deed without covenant, for exchange of land or interests in land of comparable market value, and on such other terms and conditions as the director may direct, convey road access rights by easement to the owners of certain lands managed by Pingree Associates, Inc., along approximately 8,710 feet of the Lincoln Pond Road and approximately 990 feet of the Torpedo Junction Road in Township 5, Range 2, also known as Lincoln Plantation; along approximately 3,990 feet of the Richardson Pond Road in Township 4, Range 2, also known as Adamstown Township; and along approximately 29,160 feet of the South Arm Road and 2,912 feet of the Icicle Brook Road in

Township 4, Range 1, also known as Richardsontown Township, all in Oxford County.

See title page for effective date.

CHAPTER 73

S.P. 86 - L.D. 280

Resolve, Reauthorizing the Balance of the 2005 Maine Biomedical Research Fund and Marine Infrastructure and Technology Fund Bond Issues

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 Treasurer of State may not sell the remaining \$750,000 in bonds authorized but not yet issued from the \$8,000,000 Maine Biomedical Research Fund bond issue authorized by the voters in 2005 unless the Legislature reauthorizes the issuance of those bonds; and

Whereas, the Maine Technology Institute requires this \$750,000 in bonds to meet its obligations for previously authorized research and development projects with the University of Maine and nonprofit research laboratories; and

Whereas, the Treasurer of State may not sell the remaining \$150,000 in bonds authorized but not yet issued from the \$4,000,000 Marine Infrastructure and Technology Fund bond issue authorized by the voters in 2005 unless the Legislature reauthorizes the issuance of those bonds; and

Whereas, the Maine Technology Institute requires this \$150,000 in bonds to meet its obligations for previously authorized research and development projects with the University of Maine and nonprofit research laboratories; 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. Extension for issuing. Resolved: That, pursuant to the provisions of the Constitution of Maine, Article IX, Section 14, the period for issuance of bonds or of bond anticipation notes authorized but unissued pursuant to Public Law 2005, chapter 462, authorized by the voters in a statewide election held on November 8, 2005, to support capital infrastructure and equipment for eligible institutions delineated in the Maine Revised Statutes, Title 5, section 13103 and

to support competitive capital infrastructure grants to nonprofit marine research laboratories, institutions and state governmental and quasi-governmental agencies, is further extended for a one-year period.

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

Effective June 13, 2011.

CHAPTER 74

S.P. 318 - L.D. 1085

**Resolve, Regarding
Prequalification Standards for
Contractors**

Sec. 1. Single prequalification process. Resolved: That the Department of Administrative and Financial Services, Bureau of General Services and the Department of Transportation shall jointly adopt one annual prequalification process to be used by contractors that wish to prequalify for projects administered by either agency. The agencies shall include contractors and other interested parties in developing the single prequalification process. The prequalification process developed pursuant to this section must be used by contractors for projects administered by either agency on or after January 1, 2012. The Bureau of General Services and the Department of Transportation shall jointly report to the Joint Standing Committee on State and Local Government on the prequalification process developed pursuant to this section by January 15, 2012. The Joint Standing Committee on State and Local Government may report out a bill relating to the prequalification process to the Second Regular Session of the 125th Legislature.

See title page for effective date.

CHAPTER 75

H.P. 736 - L.D. 1000

**Resolve, Directing the
Secretary of State To Examine
Centralization of the Petition
Signature Verification Process**

Sec. 1. Secretary of State to examine centralizing the process for verifying petition signatures. Resolved: That the Secretary of State shall examine the potential for centralizing the process for verifying signatures on candidate petitions, citizens' initiatives and people's veto referendum petitions within the office of the Secretary of State using the central voter registration system. The Secretary of State shall consult with municipal clerks and others to

determine the benefits of centralization and to identify any legal or logistical barriers to proceeding with centralization of the process. The Secretary of State shall submit a report on the findings of the examination under this section no later than February 1, 2012 to the Joint Standing Committee on Veterans and Legal Affairs.

See title page for effective date.

CHAPTER 76

H.P. 761 - L.D. 1027

**Resolve, To Coordinate
Stakeholders To Review Best
Practices in the Management of
Strangulation and Determine
Methods To Address the Issue
in Maine**

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

Whereas, there is a national increased awareness of the severity of strangulation, including its high prevalence in domestic and sexual assaults, its serious impacts, including life-threatening levels of anoxic brain damage, and its use as a tool of intimidation; and

Whereas, public and professional awareness of the prevalence and impact of strangulation in Maine may lag behind research data; and

Whereas, stakeholders should promptly review best practices models and tailor them to fit Maine's needs; 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. Review of best practices in management of strangulation. Resolved: That the Maine Commission on Domestic and Sexual Abuse, created in the Maine Revised Statutes, Title 19-A, section 4013 and referred to in this resolve as "the commission," shall study strangulation to determine the presence and patterns of strangulation in domestic and sexual violence in the State and the current management of strangulation within criminal law. The commission shall review model practices and research in other states, including the impacts of other states' legislation, public awareness activities and changes in policy. The commission shall invite interested parties, including but not limited to representatives from state and local law enforcement, prosecutors, the judicial