

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2014 to July 16, 2015

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 15, 2015

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

Augusta, Maine
2015

conviction use of batterers' intervention programs to the Second Regular Session of the 127th Legislature.

See title page for effective date.

CHAPTER 16

H.P. 801 - L.D. 1170

**Resolve, Regarding
Legislative Review of
Portions of Chapter 11: Rules
Governing the Controlled
Substances Prescription
Monitoring Program, a
Late-filed Major Substantive
Rule of the Department of
Health and Human Services**

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 outside the legislative rule acceptance period; 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 11: Rules Governing the Controlled Substances Prescription Monitoring Program, a provisionally adopted major substantive rule of the Department of Health and Human Services that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A outside the legislative rule acceptance period, is authorized.

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

Effective May 26, 2015.

CHAPTER 17

S.P. 413 - L.D. 1161

**Resolve, To Modify the Deed
for a Parcel of Property in the
Town of Carrabassett Valley**

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

Whereas, Resolve 1999, chapter 41 provided for the sale of approximately 1,203 acres of land to the Town of Carrabassett Valley; and

Whereas, the land was conveyed with certain restrictions; and

Whereas, these restrictions prevent the development of an outdoor recreational and educational center for persons with developmental and physical disabilities; and

Whereas, these restrictions need to be changed as quickly as possible to allow construction to begin on this center in time to allow for its use this year; 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. Resolve 1999, c. 41, §6, enacted. Resolved: That Resolve 1999, c. 41, §6 is enacted to read:

Sec. 6. Development for certain uses. Resolved: That, notwithstanding the conditions and restrictions specified in section 4, the Town of Carrabassett Valley is authorized to lease no more than 2 acres of land to a nonprofit corporation for development of an outdoor recreational and educational center for use by persons with developmental and physical disabilities, including persons who are blind or visually impaired or who have aphasia, Parkinson's disease or autism, and including residential and overnight accommodations and dining facilities for staff and guests. The nonprofit corporation may charge a fee for use of the center and its accommodations, including services provided at the center.

; and be it further

Sec. 2. Amendment of deed. Resolved: That the Director of the Bureau of Parks and Lands in the Department of Agriculture, Conservation and Forestry shall amend the deed conveyed to the Town of Carrabassett Valley pursuant to Resolve 1999, chapter 41 to reflect the changes made in this resolve.

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

Effective May 26, 2015.

CHAPTER 18

S.P. 194 - L.D. 525

**Resolve, To Direct the
Department of Health and
Human Services To Report on
Efforts To Reach in Rural
Areas Persons Who Are
Elderly, Disabled or Mentally
Ill**

Sec. 1. Department of Health and Human Services to report on efforts to reach in rural areas persons who are elderly, disabled or mentally ill. Resolved: That the Department of Health and Human Services shall report on its efforts to reach in rural areas persons who are elderly, disabled or mentally ill. The department shall particularly focus on elderly, disabled and mentally ill persons who are not able to use or who have no access to the Internet or other electronic forms of communication technology or who have limited contact with the department. In developing this report, the department shall hold at least one public meeting in Piscataquis County to which persons, parties and organizations interested in the health and well-being of persons who are elderly, disabled or mentally ill may attend to inform the department of the effectiveness of department efforts and any shortcomings in efforts to reach in rural areas persons who are elderly, disabled or mentally ill and the ability of those populations to access department services and personnel. The department shall submit its report to the Joint Standing Committee on Health and Human Services by January 1, 2016.

See title page for effective date.

CHAPTER 19

H.P. 68 - L.D. 74

**Resolve, To Require the
Director of the Bureau of
Maine Veterans' Services To
Make Recommendations To
Ensure Equity in the Benefits
Provided to Military Service
Members**

Sec. 1. Director of Bureau of Maine Veterans' Services to provide recommendations on streamlining of criteria for services and

benefits to veterans and military service members; legislation authorized. Resolved: That the Director of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management shall provide recommendations to the Joint Standing Committee on Veterans and Legal Affairs regarding proposals considered during the First Regular Session of the 127th Legislature to streamline the criteria for the delivery and administration of state-established services and benefits to veterans and military service members in the State. The committee is authorized to introduce a bill to the Second Regular Session of the 127th Legislature regarding the streamlining of criteria for the delivery and administration of services and benefits to veterans and military service members. The committee shall consider recommendations made by the bureau and other groups or subcommittees regarding the simplification of the definition of "veteran" for the purpose of the delivery and administration of benefits and services provided to veterans and military service members in the State.

See title page for effective date.

CHAPTER 20

S.P. 47 - L.D. 114

**Resolve, Authorizing the
Bureau of General Services To
Offer Certain Property to
Kennebec County for 6 Months
Prior to Listing the Property
with Private Real Estate
Brokers**

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:

1. Convey by sale any or a portion of 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 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 dis-