

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

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-

cretion, may contribute to the value of a proposed sale 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 is:

1. A parcel or parcels of land and buildings, or any portion of the parcel or parcels of land and buildings, in the City of Augusta, now or formerly known as "the Augusta District Court," located at 145 State Street, and any associated land and parking areas determined to be necessary by the Commissioner of Administrative and Financial Services, including but not limited to all or a portion of the properties described in deeds recorded in the Kennebec County Registry of Deeds, Book 1480, Page 752; and be it further

Sec. 3. Property to be offered to Kennebec County for 6 months. Resolved: That for 6 months following the effective date of this resolve the Commissioner of Administrative and Financial Services may negotiate with Kennebec County for the sale of the state property described in section 2 and may execute a purchase and sale agreement with Kennebec County upon terms the commissioner considers appropriate, except that the property must be sold "as is," with no representations or warranties and a requirement that Kennebec County use the property to house the Registry of Deeds and other county offices. The title must be transferred by quitclaim deed without covenant or release deed and executed by the commissioner. Kennebec County shall notify the commissioner in writing if the county determines prior to the end of the 6-month period that it does not want to purchase the property described in section 2. During this 6-month period, the commissioner may not negotiate or execute a purchase and sale agreement with any other party for the sale of the state property described in section 2 unless Kennebec County notifies the commissioner in writing that the county does not want to purchase the property; and be it further

Sec. 4. Property may be listed for sale or lease with private real estate brokers. Resolved: That if Kennebec County does not execute a purchase and sale agreement with the Commissioner of Administrative and Financial Services for the sale of the state property described in section 2 within 6 months following the effective date of this resolve, or if the county notifies the commissioner in writing prior to the end of the 6-month period that the county does not want to purchase the state property, as provided in section 3, the commissioner may list the property for sale or lease with private real estate brokers and may negotiate any sales or leases, solicit bids, sell directly to purchasers or enter directly into leases with tenants

for the sale of the property. The title must be transferred by quitclaim deed without covenant or release deed and executed by the commissioner; and be it further

Sec. 5. Exemptions. Resolved: That any 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 or offered through competitive bidding; and be it further

Sec. 6. 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; and be it further

Sec. 7. Proceeds. Resolved: That any proceeds from a sale pursuant to this resolve must be deposited in the Department of Administrative and Financial Services, Bureau of General Services' capital repair and improvement account for capital improvements as designated by the Commissioner of Administrative and Financial Services; and be it further

Sec. 8. Repeal. Resolved: That this resolve is repealed 4 years from its effective date.

See title page for effective date.

CHAPTER 21

H.P. 803 - L.D. 1172

**Resolve, Regarding
Legislative Review of Rules for
Permitting Overlimit
Commercial Motor Vehicles of
Specified Configurations To
Travel Designated Routes, a
Late-filed Major Substantive
Rule of the Department of
Transportation**

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