

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE

SECOND REGULAR SESSION
January 6, 2016 to April 29, 2016

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 29, 2016

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

Augusta, Maine
2016

**RESOLVES OF THE STATE OF MAINE
AS PASSED AT
THE SECOND REGULAR SESSION OF THE
ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE
2015**

**CHAPTER 55
H.P. 996 - L.D. 1454**

**Resolve, Reauthorizing the
Balance of the 2009 Bond Issue
for Land Conservation
Projects**

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 bonds authorized but not yet issued from the Land for Maine's Future Board bond issue authorized by the voters in November 2010 unless the Legislature reauthorizes the issuance of those bonds; and

Whereas, the Land for Maine's Future Board requires the funds to meet its obligations for previously authorized land conservation projects with state, municipal and private entities and to fulfill its obligations under the Maine Revised Statutes, Title 5, chapter 353 in order to protect public recreational opportunities, farmland and the State's environment; 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 unissued bonds or bond anticipation notes authorized pursuant to Public Law 2009, chapter 414, as amended by Public Law 2009, chapter 645, and authorized by the voters in a statewide election held on November 2, 2010, for land conservation purposes, is extended for a 5-year period.

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

Effective February 3, 2016.

**CHAPTER 56
S.P. 619 - L.D. 1571**

**Resolve, To Name a Bridge
between Atkinson and Sebec
the Captain John "Jay"
Brainard Gold Star Memorial
Bridge**

Sec. 1. Bridge on Stagecoach Road between Atkinson and Sebec named. Resolved: That the Department of Transportation shall name the bridge on Stagecoach Road spanning the Piscataquis River between the Town of Atkinson and the Town of Sebec the Captain John "Jay" Brainard Gold Star Memorial Bridge, to honor the memory of United States Army Captain John "Jay" Brainard, who was killed in action in Afghanistan in 2012 during Operation Enduring Freedom; and be it further

Sec. 2. Signs erected. Resolved: That the Department of Transportation shall erect appropriate signs on both sides of the bridge along Stagecoach Road to identify the bridge as the Captain John "Jay" Brainard Gold Star Memorial Bridge.

See title page for effective date.

**CHAPTER 57
H.P. 967 - L.D. 1421**

**Resolve, Directing the
Treasurer of State To Study
the Most Effective Options for
Maine Residents To Participate
in Tax-advantaged Savings
Accounts for Persons with
Disabilities**

Sec. 1. Treasurer of State to study options for participation in federal Achieving a Better Life Experience Act of 2014. Resolved: That the Treasurer of State shall review federal law under the Achieving a Better Life Experience Act of 2014 relating to the establishment of tax-advantaged qualified savings programs for the benefit of qualified individuals with disabilities. The Treasurer of State shall research relevant federal regulations and the experience of other states that have established savings programs pursuant to the federal law and submit a report

by January 15, 2017 to the joint standing committee of the Legislature having jurisdiction over taxation matters containing the results of the Treasurer of State's research and recommendations for the most cost-effective way to ensure that residents of the State are able to obtain the tax advantages of participation in qualified programs. The committee may submit a bill to the First Regular Session of the 128th Legislature related to the Treasurer of State's report.

See title page for effective date.

CHAPTER 58
H.P. 999 - L.D. 1458

**Resolve, Regarding Legislative
Review of Chapter 30: Prior
Approval Process and Stop
Work Orders, a Major
Substantive Rule of the
Department of Agriculture,
Conservation and Forestry,
Bureau of Forestry**

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 for review; 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 Chapter 30: Prior Approval Process and Stop Work Orders, a provisionally adopted major substantive rule of the Department of Agriculture, Conservation and Forestry, Bureau of Forestry that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective March 9, 2016.

CHAPTER 59
S.P. 559 - L.D. 1457

**Resolve, Authorizing the State
Tax Assessor To Convey the
Interest of the State in Certain
Real Estate in the Unorganized
Territory**

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

Whereas, ownership of certain parcels of property in the Unorganized Territory of the State has devolved to the State due to property tax delinquencies; and

Whereas, the sale and conveyance of such parcels by the State Tax Assessor require the authorization of the Legislature; and

Whereas, legislative action is immediately necessary to ensure timely and efficient property tax administration in the Unorganized Territory; 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. State Tax Assessor authorized to convey real estate. Resolved: That the State Tax Assessor is authorized to convey by sale the interest of the State in real estate in the Unorganized Territory as indicated in this resolve. Except as otherwise directed in this resolve, the sale must be made to the highest bidder subject to the following provisions.

1. Notice of the sale must be published 3 times prior to the sale, once each week for 3 consecutive weeks, in a newspaper in the county where the real estate lies, except in those cases in which the sale is to be made to a specific individual or individuals as authorized in this resolve, in which case notice need not be published.

2. A parcel may not be sold for less than the amount authorized in this resolve. If identical high bids are received, the bid postmarked with the earliest date is considered the highest bid.