

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 2016 to August 2, 2017

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
NOVEMBER 1, 2017

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

Augusta, Maine
2017

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

Effective April 30, 2017.

CHAPTER 9

H.P. 969 - L.D. 1395

Resolve, To Name the Bridge over the Androscoggin River between the Towns of Peru and Mexico the PFC Buddy Wendall McLain Memorial Bridge

Sec. 1. Bridge in the towns of Peru and Mexico named. Resolved: That the Department of Transportation shall designate Bridge 2019, which crosses the Androscoggin River between the Town of Peru and the Town of Mexico, the PFC Buddy Wendall McLain Memorial Bridge and shall erect an appropriate sign or signs to proclaim this designation.

See title page for effective date.

CHAPTER 10

H.P. 977 - L.D. 1419

Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 29, Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder, 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 101: MaineCare Benefits Manual, Chapter III, Section 29, Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder, 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 31, 2017.

CHAPTER 11

H.P. 979 - L.D. 1421

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

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.

If bids in the minimum amount recommended in this resolve are not received after the notice, the State Tax Assessor may sell the property for not less than the minimum amount without again asking for bids if the property is sold on or before April 1, 2018.

Employees of the Department of Administrative and Financial Services, Bureau of Revenue Services and spouses, siblings, parents and children of employees of the Bureau of Revenue Services are barred from acquiring from the State any of the real property subject to this resolve.

Upon receipt of payment as specified in this resolve, the State Tax Assessor shall record the deed in the appropriate registry at no additional charge to the purchaser before sending the deed to the purchaser.

Abbreviations and plan and lot references are identified in the 2014 Unorganized Territory valuation book. Parcel descriptions are as follows:

2014 MATURED TAX LIENS

Cross Lake Twp, Aroostook County

Map AR031, Plan 1, Lot 108 038990138-2

Bouchard, Dwayne M., Jr. building on leased land

TAX LIABILITY

2014	\$80.08
2015	82.05
2016	81.47
2017 (estimated)	81.47
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Estimated Total	\$325.07
Taxes	
Interest	11.28
Costs	38.00
Deed	19.00
	<hr/>
Total	\$393.35

Recommendation: Sell to Bouchard, Dwayne M., Jr. for \$393.35. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$400.00.

Connor Twp, Aroostook County

Map AR105, Plan 2, Lot 132.1 038020065-4

Caron, Kimberly 0.25 acres with building

TAX LIABILITY

2014	\$200.10
2015	207.28
2016	151.29
2017 (estimated)	151.29
	<hr/>
Estimated Total	\$709.96
Taxes	
Interest	21.20
Costs	57.00
Deed	19.00
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Total	\$807.16

Recommendation: Sell to Caron, Kimberly for \$807.16. If she does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$825.00.

Connor Twp, Aroostook County

Map AR105, Plan 6, Lot 40 038020216-1

Ramsdell, Joyce L. 1.35 acres

TAX LIABILITY

2014	\$33.99
2015	35.20
2016	32.36
2017 (estimated)	32.36
	<hr/>
Estimated Total	\$133.91
Taxes	
Interest	4.80
Costs	38.00
Deed	19.00
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Total	\$195.71

Recommendation: Sell to Ramsdell, Joyce L. for \$195.71. If she does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$200.00.

T2 R3 WBKP, Franklin County

Map FR006, Plan 1, Lot 1.1 078130033-2
 Stokes, Thomas building on leased land

Recommendation: Sell to Rich, Todd K. for \$727.97. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$750.00.

TAX LIABILITY

2014	\$75.65
2015	76.39
2016	76.80
2017 (estimated)	76.80

Estimated Total Taxes	\$305.64
Interest	10.61
Costs	38.00
Deed	19.00
Total	\$373.25

Recommendation: Sell to Stokes, Thomas for \$373.25. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$375.00.

Albany Twp, Oxford County

Map OX016, Plan 1, Lot 137.1 178020799-2
 Rich, Todd K. 7.10 acres

Kingman Twp, Penobscot County

Map PE036, Plan 6, Lot 74 198080070-3

Melanson, George 5.14 acres with building

TAX LIABILITY

2014	\$181.60
2015	182.44
2016	166.51
2017 (estimated)	166.51

Estimated Total Taxes	\$697.06
Interest	26.11
Costs	76.00
Deed	19.00
Total	\$818.17

Recommendation: Sell to Melanson, George for \$818.17. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$825.00.

TAX LIABILITY

2014	\$166.53
2015	170.89
2016	155.04
2017 (estimated)	155.04

Estimated Total Taxes	\$647.50
Interest	23.47
Costs	38.00
Deed	19.00
Total	\$727.97

Kingman Twp, Penobscot County

Map PE036, Plan 2, Lots 61.2, 62.1 and 62.2 198080026-1

Worster, Vance and Katherine 2.00 acres with building

TAX LIABILITY

2014	\$729.95
2015	872.52
2016	836.21
2017 (estimated)	836.21

Estimated Total Taxes	\$3,274.89
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Interest	107.18
Costs	38.00
Deed	19.00
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Total	\$3,439.07

Recommendation: Sell to Worster, Vance and Katherine for \$3,439.07. If they do not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$3,450.00.

Prentiss Twp, Penobscot County

Map PE039, Plan 8, Lot 39 192700291-1

Mohla, Harry 0.35 acres with building

TAX LIABILITY

2014	\$24.51
2015	24.62
2016	51.28
2017 (estimated)	51.28
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Estimated Total	\$151.69

Taxes	
Interest	3.43
Costs	38.00
Deed	19.00
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Total	\$212.12

Recommendation: Sell to Mohla, Harry for \$212.12. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$225.00.

TA R13 WELS, Piscataquis County

Map PI047, Plan 7, Lot 1 218092032-2

Donnelly, Catherine L. and Edd W. 2.93 acres

TAX LIABILITY

2014	\$1,035.97
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2015	1,001.58
2016	996.52
2017 (estimated)	996.52
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Estimated Total	\$4,030.59

Taxes	
Interest	143.84
Costs	38.00
Deed	19.00
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Total	\$4,231.43

Recommendation: Sell to Donnelly, Catherine L. and Edd W. for \$4,231.43. If they do not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$4,250.00.

T1 R1 TS, Washington County

Map WA018, Plan 1, Lot 1 298070004-2

Roy, Philip building on leased land

TAX LIABILITY

2014	\$51.42
2015	53.97
2016	53.26
2017 (estimated)	53.26
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Estimated Total	\$211.91

Taxes	
Interest	7.29
Costs	38.00
Deed	19.00
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Total	\$276.20

Recommendation: Sell to Roy, Philip for \$276.20. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$300.00.

Brookton Twp, Washington County

Map WA028, Plan 2, Lot 9 298010001-2

Pannone, Joseph and Jacquelin David 0.08 acres

Recommendation: Sell to Patterson, William A. for \$6,853.03. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$6,875.00.

TAX LIABILITY

2014	\$9.57
2015	9.98
2016	13.84
2017 (estimated)	13.84
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Estimated Total Taxes	\$47.23
Interest	1.35
Costs	38.00
Deed	19.00
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Total	\$105.58

Recommendation: Sell to Pannone, Joseph and Jacquelin David for \$105.58. If they do not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$125.00.

T1 R1 NBKP T & R, Somerset County

Map SO031, Plan 5, Lot 8.6 258030201-1

Patterson, William A. 5.00 acres

TAX LIABILITY

2012	\$5,190.00
2013	179.12
2014	176.12
2015	181.04
2016 (estimated)	181.04
2017 (estimated)	184.69
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Estimated Total Taxes	\$6,092.01
Interest	691.02
Costs	51.00
Deed	19.00
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Total	\$6,853.03

See title page for effective date.

**CHAPTER 12
H.P. 95 - L.D. 127**

Resolve, Regarding Legislative Review of Portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age 20, a Major Substantive Rule of the Department of Education

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 portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age 20, a provisionally adopted major substantive rule of the Department of Education that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the following changes are made to the provisionally adopted major substantive rule.

The rule must be amended in Section VII.2.L(2), which concerns the determination by the Individualized Educational Program Team, referred to in this resolve as "the IEP Team," of the existence of a specific learning disability using a pattern of appropriate assessments, by: