

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**October 23, 2017 to November 6, 2017**

**SECOND REGULAR SESSION**  
**January 3, 2018 to May 2, 2018**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**FEBRUARY 5, 2018**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**AUGUST 1, 2018**

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

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**Augusta, Maine**  
**2018**

7. Provide data on the existing numbers of children in need of care; child care providers by type, step on the child care quality rating system, geography, number of children currently served and capacity; and any other relevant factors; and be it further

**Sec. 2. Report. Resolved:** That the Department of Health and Human Services shall report its findings and statutory recommendations pursuant to section 1 no later than January 30, 2019 to the joint standing committee of the Legislature having jurisdiction over health and human services matters. The joint standing committee of the Legislature having jurisdiction over health and human services matters may report out legislation based on the findings of the report to the First Regular Session of the 129th Legislature.

See title page for effective date.

**CHAPTER 51**

**H.P. 1222 - L.D. 1773**

**Resolve, Directing the Bureau of Parks and Lands To Transfer Land in the Town of Pittston**

**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,** the land authorized for transfer by this resolve is within the designations 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 Agriculture, Conservation and Forestry may sell or exchange lands with the approval of the Legislature in accordance with the Maine Revised Statutes, Title 12, sections 1814, 1837 and 1851; now, therefore, be it

**Sec. 1. Director of Bureau of Parks and Lands to convey land. Resolved:** That the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry shall by quitclaim deed without covenant, for negotiated value, and on such other terms and conditions as the director may direct, convey or release to the First Congregational Church of Pittston a portion with a total of not more than .30 acre of a parcel of land situated on Arnold Road in the Town of Pittston, County of Kennebec and recorded on the Town of Pittston property tax map U-13, Lot 9.

See title page for effective date.

**CHAPTER 52**

**H.P. 1257 - L.D. 1812**

**Resolve, Directing an Independent, Nonpartisan, Objective Evaluation of the Provision of Indigent Legal 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 State of Maine has a constitutional obligation to provide indigent legal services; and

**Whereas,** the diversity in population density and availability of attorneys across the State can present challenges to providing consistent high-quality legal services to fulfill that obligation; and

**Whereas,** many factors external to the operation of the Maine Commission on Indigent Legal Services are driving up costs to both prosecution and defense; and

**Whereas,** the need to ensure the most efficient use of limited resources requires a study of the existing system to be conducted by an independent, outside, nonpartisan entity; and

**Whereas,** the Working Group to Improve the Provision of Indigent Legal Services recommended that such a study be conducted as soon as possible; and

**Whereas,** authorization and funding for the study need to be provided as soon as possible for the comprehensive study to be conducted in time for recommendations to be considered by the First Regular Session of the 129th Legislature; 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. Legislative Council to contract for independent, nonpartisan, objective evaluation of obligation to provide indigent legal services. Resolved:**

That the Legislative Council, through the Executive Director of the Legislative Council, shall contract with a qualified nonprofit organization that has, within the 12 months prior to the effective date of this resolve, provided consulting and evaluations regarding state indigent legal services systems to evaluate the existing system in the State for providing legal representation as required by both the Constitution of Maine and the United States Constitution and by the laws of the State and to provide recommendations to improve the structure, services and other elements of