

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

SECOND SPECIAL SESSION
June 19, 2018 to September 13, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 13, 2018

ONE HUNDRED AND TWENTY-NINTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2018 to June 20, 2019

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 2019

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

Augusta, Maine
2019

1. Limiting licensure requirements to operators of cranes:

- A. That are used in construction, demolition or excavation work;
- B. That are used at construction sites of projects that involve work on structures over an established height; and
- C. That have lifting capacity that reaches or exceeds set limits;

2. A requirement that an applicant for licensure as an operator of a crane possess an active, unrestricted Maine driver's license and a certification of medical fitness;

3. A requirement for a written and practical examination for licensure as an operator of a crane that incorporates nationally recognized certifications, federal guidelines or national industry guidelines pertaining to the operation of heavy equipment, including the United States Department of Labor, Occupational Safety and Health Administration and American National Standards Institute standards or American Society of Mechanical Engineers guidelines; and

4. A pathway to license recognition for an individual possessing a crane operator license, or the equivalent, in another state or a United States territory.

Sec. 3. Reporting date established. Resolved: That, no later than January 10, 2020, the Commissioner of Professional and Financial Regulation shall submit a report with any necessary legislation following the independent assessment under section 1 to the Joint Standing Committee on Innovation, Development, Economic Advancement and Business. The committee is authorized to submit legislation on the subject matter of the report to the Second Regular Session of the 129th Legislature.

See title page for effective date.

CHAPTER 76

H.P. 549 - L.D. 744

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Convey the Interests in Certain Real Property Located in East Millinocket

Sec. 1. Authority to convey state property. Resolved: That, notwithstanding any provision of law to the contrary, the State, by and through the Commissioner of Administrative and Financial Ser-

vices, referred to in this resolve as "the commissioner," may:

1. Convey by sale any or a portion of the interests of the State in the state property described in section 2, referred to in this resolve as "the state property," with the buildings and improvements, together with all appurtenant rights and easements, and all personal property located on that property, including vehicles, machinery, equipment and supplies. The State's interest in the state property does not include timber rights;

2. Negotiate, draft, execute and deliver any documents necessary to settle any boundary line discrepancies of the state property;

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 discretion, may contribute to the value of a proposed sale of the State's interests in the state property; 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.

Sec. 2. Property interests that may be conveyed. Resolved: That the state property authorized to be sold is a parcel or parcels of land located in the Town of East Millinocket consisting of approximately 3,384 acres conveyed to the State by Katahdin Paper Company LLC on September 28, 2011, recorded in the Penobscot County Registry of Deeds, Book 12608, Page 97-104 and identified on the Town of East Millinocket's Tax Assessor's Map 01 as Lot 09-011 and does not include timber rights to the property.

Sec. 3. Property to be sold as is. Resolved: That the commissioner may negotiate and execute purchase and sale agreements upon terms the commissioner considers appropriate; however, the state property must be sold "as is," with no representations or warranties. Title must be transferred by quitclaim deed without covenant or release deed and executed by the commissioner.

Sec. 4. Exemptions. Resolved: That any conveyance pursuant to this resolve is exempt from any statutory or regulatory requirement that the state property must first be offered to the Maine State Housing Authority or another state or local agency or offered through competitive bidding.

Sec. 5. Appraisal. Resolved: That the commissioner shall have the current market value of the state property determined by a broker opinion of value and current comparative market analysis. The commissioner may list the state property for sale with a private real estate broker and negotiate any sale, solicit

bids or sell directly to a purchaser. The commissioner may reject any offer.

Sec. 6. Right of first refusal. Resolved: That the Town of East Millinocket has the right of first refusal to purchase the state property at the broker opinion of value determined pursuant to section 5. The commissioner shall provide written notice to the clerk of the Town of East Millinocket of the intent to sell the state property and the terms of sale. The Town of East Millinocket has 90 days to notify the commissioner in writing whether the Town of East Millinocket will purchase the state property at the broker opinion of value. The Town of East Millinocket has 60 days from the date of invoking its right of first refusal to complete the purchase of the state property.

Sec. 7. Proceeds. Resolved: That any proceeds from the sale of the state property pursuant to this resolve must be deposited into the Department of Administrative and Financial Services, Bureau of General Services' capital repair and improvement account for capital improvements.

Sec. 8. Repeal. Resolved: That this resolve is repealed 5 years from its effective date.

See title page for effective date.

CHAPTER 77

H.P. 1048 - L.D. 1436

Resolve, Directing Coordinated State Agencies To Engage with the Governing Leaderships of Portland Pipe Line Corporation and Montreal Pipe Line Limited for Sustainability-centered Repurposing of Stranded and At-risk Infrastructure Assets in Maine

Sec. 1. Coordinated state agencies to engage with the governing leaderships of Portland Pipe Line Corporation and Montreal Pipe Line Limited for sustainability-centered repurposing of stranded and at-risk infrastructure assets in Maine. Resolved: That the Department of Economic and Community Development and the Governor's Energy Office in coordination shall engage directly with the executive and board leaderships of the Portland Pipe Line Corporation and Montreal Pipe Line Limited parent companies Suncor Energy, Shell Oil Company and Imperial Oil Limited to examine opportunities for repurposing the Portland-Montreal pipeline and related real estate holdings in the State, including consideration of a redevelopment strategy and revenue model acceptable to those com-

panies' investors in accordance with the companies' own sustainability goals. The asset to be addressed by the examination is the pipeline itself, which is to be examined for repurposing as a conduit for high-voltage electric transmission lines. The examination of repurposing must consider opportunities for existing Portland Pipe Line Corporation and Montreal Pipe Line Limited employees to direct their efforts toward the technical and management opportunities created by repurposing of the pipeline.

The scope of work under this section may include coordination with other state agencies and local jurisdictions as well as coordination with regulators in New Hampshire, Vermont and the provincial government of Quebec, Canada.

Sec. 2. Report. Resolved: That no later than February 15, 2020, the Department of Economic and Community Development and the Governor's Energy Office shall submit a joint report on the efforts undertaken pursuant to this resolve to the Joint Standing Committee on Energy, Utilities and Technology.

See title page for effective date.

CHAPTER 78

H.P. 1003 - L.D. 1382

Resolve, Directing the Department of Education To Study and Develop a State Plan for Computer Science Instruction and Professional Development

Sec. 1. Study and development of state plan for computer science instruction and professional development. Resolved: That the Department of Education shall study and develop a plan for implementing computer science instruction in schools and shall submit a report to the Joint Standing Committee on Education and Cultural Affairs, no later than January 1, 2020, that includes the following:

1. An overview of how computer science courses and curricula are being implemented in schools;
2. A state plan for instruction in computer science in public preschool to grade 12 that includes the development of standards, clarifies how instruction in computer science may be applied toward graduation requirements, provides equitable access to computer science instruction across the State and provides for instruction in computer science in all high schools by 2022 and in all grades by 2025;
3. A professional development plan for educators that includes training in computer science and a component that includes peer-to-peer training in computer science; and