

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

SECOND SPECIAL SESSION
September 29, 2021

SECOND REGULAR SESSION
January 5, 2022 to May 9, 2022

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 29, 2021

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 8, 2022

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

Augusta, Maine
2022

the contrary, the State may transfer a certain parcel of land as described in section 2 to the Passamaquoddy Tribe, subject to such terms and conditions described in sections 3 to 6.

Sec. 2. Resolve 2021, c. 133, §2, repealed and replaced. Resolved: That Resolve 2021, c. 133, §2 is repealed and the following enacted in its place:

Sec. 2. Description of land transferred. Resolved: That the land authorized to be conveyed pursuant to this resolve is a parcel of land of approximately 1.08 acres located on the northern side of State Route 191 in Meddybemps, Washington County, described in a deed recorded in the Washington County Registry of Deeds, Book 2679, Page 152, together with an access and use easement over a parcel of land located on the northern side of State Route 191 in Meddybemps, Washington County, described in a deed recorded in the Washington County Registry of Deeds, Book 736, Page 157, to the extent such easement is permitted by and consistent with federal and state law or regulations and funding restrictions and subject to any environmentally protective restrictions that are now or may in the future become applicable to the parcel, including but not limited to those set forth in records of decision, environmental covenants and similar deed restrictions.

Sec. 3. Resolve 2021, c. 133, §3, amended. Resolved: That Resolve 2021, c. 133, §3 is amended to read:

Sec. 3. Land subject to terms and conditions. Resolved: That the State may convey the ~~par-
eel~~ land described in section 2 upon such terms and conditions as the Commissioner of Environmental Protection considers appropriate and necessary to ensure access to the property transferred, compliance with encumbrances of record and inclusion of any new restrictions determined necessary by the Department of Environmental Protection or the United States Environmental Protection Agency.

Sec. 4. Resolve 2021, c. 133, §5, amended. Resolved: That Resolve 2021, c. 133, §5 is amended to read:

Sec. 5. Release of liability for historical contamination. Resolved: That the Passamaquoddy Tribe's compliance with the terms, conditions, encumbrances and restrictions described in section 3 releases the Passamaquoddy Tribe of any state environmental contamination claims, including natural resource damage claims, that have or in the future may accrue to the State or its agencies as a result of the historic contamination of the land described in section 2 by parties other than the Passamaquoddy Tribe.

See title page for effective date.

**CHAPTER 151
H.P. 1509 - L.D. 2027**

**Resolve, Regarding Legislative
Review of Portions of Chapter
101: MaineCare Benefits
Manual, Chapter III, Section
97: Private Non-Medical
Institution Services, 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, a 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 97: Private Non-Medical Institution Services, 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 April 14, 2022.