

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

AT THE

SECOND REGULAR SESSION

January 2, 1980 to April 3, 1980

AND AT THE

THIRD SPECIAL SESSION

May 22, 1980

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

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PUBLIC LAWS
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adjustment may be charged is subject to the approval of the commissioner. Administrative units are authorized to make tuition payments in excess of the legal rate in accordance with this paragraph. The provisions of this paragraph shall apply to minor capital projects which have received departmental approval before June 30, 1982.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective March 31, 1980

CHAPTER 683

H. P. 1603 — L. D. 1714

AN ACT to Provide for Local Management of Timber on Public Lands in Organized Towns.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 12 MRSA § 557, sub-§ 3, as last amended by PL 1979, c. 224, § 1, is further amended by inserting at the end the following new sentences:

With respect to stumpage income from timber located on public reserved lands and leased pursuant to Title 30, section 4162, subsection 4, paragraph L, 50% of the income shall be returned by the Treasurer of State to the lessee for its own purposes. The director may approve the handling of income from sales or permits for up to \$500 by the lessees. The lessees shall submit a semiannual accounting of this income and payment for the state's share of the income.

Sec. 2. 30 MRSA § 4162, sub-§ 4, ¶ L is enacted to read:

L. Lease to incorporated towns the right to manage timber on all or part of the public reserved lands within the boundaries of the town in accordance with multiple use management plans, subject to the following conditions:

- (1) Public reserved lands acquired through land exchanges may not be leased;
- (2) A management plan submitted to the director by a town shall be approved or disapproved by the director within 60 days of submission, or the plan shall be deemed approved. The director shall conduct the same interagency reviews and apply the same standards in evaluating such management plans as are being applied in formulating the bureau's own management plans, as of the date of submittal;

(3) The leases shall be for a period not to exceed 15 years, and may be renewed if the director determines that the management plans have been implemented and substantially complied with in a professionally acceptable manner;

(4) The leases may be terminated by the director at any time, without adjustment or compensation due any lessee, if such termination is in the best interests of the State. The director shall give 30 days' written notice prior to this termination. The director shall hold a public hearing, if requested by the lessee within 30 days of such notice. The director shall issue written notice of a final decision within 30 days of the hearing. This decision may be appealed to the Superior Court;

(5) Public access to lands leased under this paragraph may not be unreasonably denied; and

(6) No lease may convey any interest in lands affected other than those permitted by this section.

Sec. 3. Effective date. The revenue sharing provisions of this Act shall be retroactive to January 1, 1980 for lease agreements entered into the 1980 calendar year.

Effective July 3, 1980, Unless otherwise indicated

CHAPTER 684

H. P. 1682 — L. D. 1791

AN ACT to License Users of Ionizing and Nonionizing Radiation Equipment.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 10 MRSA § 103, sub-§ 9, as enacted by PL 1971, c. 423, § 1, is amended by adding at the end a new sentence to read:

These duties shall include monitoring radioactive emissions from all nuclear power reactors.

Sec. 2. 10 MRSA § 103, sub-§§ 10 and 11 are enacted to read:

10. Registration of nuclear power reactors. To register nuclear power reactors; and

11. Registering other sources of ionizing radiation. To register other sources and devices capable of emitting ionizing radiation. The department shall further