## MAINE STATE LEGISLATURE

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## 114th MAINE LEGISLATURE

## FIRST REGULAR SESSION - 1989

Legislative Document

No. 116

S.P. 97

In Senate, February 9, 1989

Submitted by the Department of Conservation pursuant to Joint Rule 24. Reference to the Committee on Energy and Natural Resources suggested and ordered printed.

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator PEARSON of Penobscot.

Cosponsored by Representative HICHBORN of LaGrange, Representative PARADIS of Old Town and Representative MICHAUD of East Millinocket.

## STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-NINE

An Act to Amend the Law Regarding the State Forest Nursery.

(EMERGENCY)



1	Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted
3	as emergencies; and
5	Whereas, the State forest nursery will be leased to a private sector corporation; and
7	
9	Whereas, this legislation is immediately necessary so that the State may enter into a valid lease arrangement with the corporation; and
11	Whereas, in the judgment of the Legislature, these facts
13	create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately
15	necessary for the preservation of the public peace, health and safety; now, therefore,
17	Be it enacted by the People of the State of Maine as follows:
19	
21	Sec. 1. 12 MRSA §8701, sub-§1, as amended by PL 1983, c. 819, Pt. A, §37, is further amended to read:
23	1. Establishment; purpose. The director may establish and lease within the State one or more forest nurseries, the
25	maintenance-of-which-shall-be-paid-for-from-the-appropriation-for that-purpose. The object of these nurseries is to furnish at-cost
27	forest tree seedlings, transplants and shrub material for use in
29	planting the present and potential forest lands within the State. Christmas-tree-planting-stock-may-be-grown-in-the-event-that-the director-determines-that-additional-stock-is-needed-to-sustain
31	theChristmas-tree-industryin-theStateTheChristmastree
33	planting-stock-shall-be-sold-at-competitive-market-prices.
35	Sec. 2. 12 MRSA §8701, sub-§3, as amended by PL 1983, c. 819, Pt. A, §38, is repealed.
37	Emergency clause. In view of the emergency cited in the
39	preamble, this Act shall take effect when approved.
41	STATEMENT OF FACT
41	STATEMENT OF FACT
43	A decision has been made to discontinue operation of the Maine State Forest Nursery by the Bureau of Forestry. The
45	nursery will continue to be operated, however, by lease arrangement with a private firm. Existing legislative enabling
47	language does not allow operation of the nursery at a profit.  One stipulation of the lease allows for termination of the

agreement if the State does not amend the enabling legislation.

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