

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1559

S.P. 556

In Senate, May 9, 1989

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator PEARSON of Penobscot.
Cosponsored by Representative JACQUES of Waterville.

STATE OF MAINE

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

An Act to Undedicate Revenue Received by the Bureau of Public Lands.



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

3 Sec. 1. 12 MRSA §557, as amended by PL 1987, c. 737, Pt. C,
4 §§21 and 106, and as amended by PL 1989, cc. 6 and 9, is repealed
5 and the following enacted in its place:

7 §557. Public lands management; income received

9 1. Income received. All income received by the Bureau of
10 Public Lands pursuant to section 553, subsection 3, paragraph E,
11 shall be deposited to the General Fund.

13 2. Appropriations. All money appropriated to the Bureau of
14 Public Lands for management of public lands shall be used to
15 produce a sustained yield of goods and services from those lands
16 for multiple use purposes in accordance with the principles of
17 sound planning and business practice and for no other purpose.

19 3. Compensation to municipalities. Notwithstanding the
20 other provisions of this section, 25% of the net revenues from
21 any public lands located in municipalities and managed by the
22 Bureau of Public Lands, excluding submerged lands, public
23 reserved lands and excluding proceeds from the sale of land,
24 shall be returned by the Treasurer of State to the municipality
25 wherein the land generating the income is located to be used for
26 municipal purposes. With respect to those public reserved lands
27 which were located in townships or tracts organized into
28 plantations as of March 1, 1974, when any such plantation,
29 subsequent to that date, becomes incorporated into a town, 75% of
30 any income from residential leasehold camps, excluding any income
31 or proceeds from the sale, exchange or relocation of any of these
32 camps under section 590, and 25% of any other income from that
33 public reserved land shall be returned by the Treasurer of State
34 to the municipality wherein the public reserved land is located
35 to be used for municipal purposes. With respect to stumpage
36 income from timber located on public reserved lands and leased
37 pursuant to section 585, subsection 4, paragraph K, 50% of the
38 income shall be returned by the Treasurer of State to the lessee
39 for its own purposes. The director may approve the handling of
40 income from sales or permits for up to \$500 by the lessees. The
41 lessees shall submit a semiannual accounting of this income and
42 payment for the State's share of the income.

43 Sec. 2. 12 MRSA §586, as enacted by PL 1987, c. 737, Pt. B,
44 §2 and Pt. C, §106, and as amended by PL 1989, cc. 6 and 9, is
45 further amended to read:

47 §586. Funds from public reserved lands

49 1. Fund established. All income received by the director
50 from the public reserved lands, except income provided for in
51 section 588, shall be deposited with the Treasurer of State, to

1 be-credited-to-the-Public-Reserved-Lands-Management-Fund-which-is
2 established-as-a-nonlapsing-fund.---Any-interest-earned-on-this
3 money-shall-also-be-credited-to-the-fund General Fund.

5 ~~2.---Expenditures-from-fund.---Expenditures-from-the-fund-are~~
6 ~~subject---to---legislative---approval---in---the---same---manner---as~~
7 ~~appropriations-from-the-General-Fund.---No-money-may-be-expended~~
8 ~~without---allocation---by---the---Legislature.---The---joint---standing~~
9 ~~committee---of---the---Legislature---having---jurisdiction---over~~
10 ~~appropriations-and-financial-affairs-must-approve-the-allocation.~~

11 **Sec. 3. 12 MRSA §590, sub-§§4 and 5,** as enacted by PL 1987, c.
12 737, Pt. B, §2 and Pt. C, §106, and as amended by PL 1989, cc. 6
13 and 9, are further amended to read:

14 **4. Public Reserved Lands Acquisition Program.** To
15 accomplish the purposes of this chapter, there is established the
16 Public Reserved Lands Acquisition Fund Program. Notwithstanding
17 ~~section-586,-all~~ All income or proceeds received by the Bureau of
18 Public Lands from the sale, exchange or relocation of any public
19 reserved lands shall be recorded ~~on-the-books-in-a-separate~~
20 ~~account-and-shall-be~~ deposited with the Treasurer of State to be
21 credited to the Public-Reserved-Lands-Acquisition General Fund.
22 Any interest earned on this money shall also be credited to the
23 fund.
24

25 **5. Expenditures of fund.** All money credited appropriated
26 to the fund program shall be used exclusively to purchase and
27 assemble quantities of land of such size and location as the
28 director determines best fulfill the purposes of this chapter.
29 Lands acquired with this money are deemed to be public reserved
30 lands. The State shall hold and manage these lands, subject to
31 the same terms and conditions that apply to other public reserved
32 lands. ~~There-is-appropriated-to-pay-for-this-property-so-much-of~~
33 ~~the-funds-raised-from-income-designated-in-subsection-4-and-paid~~
34 ~~into-the-State-Treasury-as-necessary-to-pay-for-the-purchase-of~~
35 ~~real-property-to-be-held-and-managed-as-public-reserved-lands.~~
36 ~~The-director,-with-the-prior-approval-of-the-commissioner-and-the~~
37 ~~Governor,-shall-authorize-the-State-Controller-to-draw-the~~
38 ~~director's-warrant-for-such-a-purchase-at-any-time.---Any~~
39 ~~remaining-balance-shall-continue-from-year-to-year-as-a-fund~~
40 ~~available-only-for-the-purposes-of-this-section.~~
41

42 STATEMENT OF FACT

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46
47 The purpose of this bill is to undedicate all revenue
48 received by the Bureau of Public Lands. Under the bill, all
49 funds derived from the sale or management of public lands managed
50 by the bureau will be applied to the General Fund.