

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 1424

S.P. 450

In Senate, March 11, 1997

**An Act to Allow ATV Use on Public Lands Not Specifically Designated
as Primitive-use Land.**

(EMERGENCY)

Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator RUHLIN of Penobscot.
Cosponsored by Representatives: BUCK of Yarmouth, CIANCHETTE of South Portland,
WATERHOUSE of Bridgton.

2 **Emergency preamble.** Whereas, Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4 **Whereas,** there are currently huge tracts of land in this
6 State that are designated as public lands; and

8 **Whereas,** these lands are owned by the State and its citizens
for the use and enjoyment of its citizens; and

10 **Whereas,** the public is denied the full enjoyment of these
12 state-owned lands if it is deprived of the use of all-terrain
vehicles on those lands not specifically set aside as
14 primitive-use lands upon which motorized vehicles are prohibited;
and

16 **Whereas,** it is imperative that the public be allowed to use
18 and enjoy those public lands not otherwise protected as soon as
possible; and

20 **Whereas,** in the judgment of the Legislature, these facts
22 create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
24 necessary for the preservation of the public peace, health and
safety; now, therefore,

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

28 **Sec. 1. 12 MRSA §602, sub-§20,** as amended by PL 1991, c. 354,
30 §1, is further amended to read:

32 **20. Management of ATV's.** To administer the ATV
34 Recreational Management Fund, established under section 7854,
subsection 4, for the purposes given in that subsection. The
bureau may ~~promulgate~~ adopt rules, in accordance with Title 5,
36 chapter 375, subchapter II, for the issuance of grants-in-aid
from the fund and to further define alpine tundra areas pursuant
38 to section 7851, subsection 5. The bureau shall establish a
policy in which the prudent use of ATV's is allowed and
40 guidelines are set for the use of ATV's on those public lands
that are not specifically designated or set aside as
42 primitive-use lands pursuant to law or through rulemaking by the
department. The policy must be in place no later than September
44 1, 1997; and

46 **Emergency clause.** In view of the emergency cited in the
48 preamble, this Act takes effect when approved.

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SUMMARY

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This bill requires the Bureau of Parks and Lands within the Department of Conservation to establish a policy wherein the prudent use of ATV's is allowed on public lands not designated as primitive-use lands.