

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 398

S.P. 140

In Senate, February 5, 2009

**An Act To Transfer Ownership and Management of Swan Island
and Little Swan Island in Perkins Township, Sagadahoc County to
the Department of Conservation**

Reference to the Committee on Inland Fisheries and Wildlife 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 GOODALL of Sagadahoc.
Cosponsored by Representative BERRY of Bowdoinham and
Senator: McCORMICK of Kennebec, Representatives: FOSSEL of Alna, MacDONALD of
Boothbay, PERCY of Phippsburg, TREAT of Hallowell, WATSON of Bath.

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

2 **Sec. 1. 12 MRSA §12701, sub-§4**, as amended by PL 2007, c. 539, Pt. KKKK,
3 §1, is further amended to read:

4 **4. Fees.** The commissioner may establish reasonable fees for admission to the
5 Maine Wildlife Park and the Steve Powell Wildlife Management Area at Perkins
6 Township, Sagadahoc County, known as Swan Island and Little Swan Island. Fees
7 associated with the Steve Powell Wildlife Management Area must be deposited into a
8 dedicated revenue account. In addition to those fees, the commissioner may accept and
9 deposit into the dedicated revenue account money from any other source, public or
10 private.

11 **Sec. 2. 12 MRSA §12708, sub-§1, ¶B**, as amended by PL 2007, c. 463, §7, is
12 further amended to read:

13 B. The following areas are classified as state-owned wildlife management areas, or
14 "WMAs":

- 15 (1) Blanchard/AuClair WMA (Roach River Corridor) - T1 R14 WELS -
16 Piscataquis County;
- 17 (2) Brownfield WMA - Brownfield, Denmark, Fryeburg - Oxford County;
- 18 (3) George Bucknam WMA (Belgrade Stream) - Mt. Vernon - Kennebec
19 County;
- 20 (4) Caesar Pond WMA - Bowdoin - Sagadahoc County;
- 21 (5) Chesterville WMA - Chesterville - Franklin County;
- 22 (6) Coast of Maine WMA - all state-owned coastal islands that are owned or
23 managed by the Department of Inland Fisheries and Wildlife;
- 24 (7) Dickwood Lake WMA - Eagle Lake - Aroostook County;
- 25 (8) Francis D. Dunn WMA (Sawtelle Deadwater) - T6 R7 WELS - Penobscot
26 County;
- 27 (9) Fahi Pond WMA - Embden - Somerset County;
- 28 (10) Lyle Frost WMA (formerly Scammon) - Eastbrook, Franklin - Hancock
29 County;
- 30 (11) Alonzo H. Garcelon WMA (Mud Mill Flowage) - Augusta, Windsor,
31 Vassalboro - Kennebec County;
- 32 (12) Great Works WMA - Edmunds Township - Washington County;
- 33 (13) Jamies Pond WMA - Manchester, Farmingdale, Hallowell - Kennebec
34 County;
- 35 (14) Jonesboro WMA - Jonesboro - Washington County;
- 36 (15) Earle R. Kelley WMA (Dresden Bog) - Alna, Dresden - Lincoln County;

- 1 (16) Kennebunk Plains WMA - Kennebunk - York County;
- 2 (17) Bud Leavitt WMA (Bull Hill) - Atkinson, Charleston, Dover-Foxcroft,
- 3 Garland - Penobscot County and Piscataquis County;
- 4 (18) Gene Letourneau WMA (Frye Mountain) - Montville, Knox, Morrill -
- 5 Waldo County;
- 6 (19) Long Lake WMA - St. Agatha - Aroostook County (all of Long Lake within
- 7 the Town of St. Agatha);
- 8 (20) Madawaska WMA - Palmyra - Somerset County;
- 9 (20-A) Maine Youth Conservation WMA - T32MD - Hancock County;
- 10 (21) Mainstream WMA - Cambridge, Ripley - Somerset County;
- 11 (22) Lt. Gordon Manuel WMA - Hodgdon, Cary Plantation, Linneus -
- 12 Aroostook County;
- 13 (23) Maynard F. Marsh WMA (Killick Pond) - Hollis, Limington - York
- 14 County;
- 15 (24) Mercer Bog WMA - Mercer - Somerset County;
- 16 (25) Merrymeeting Bay WMA - Dresden, Bowdoinham, Woolwich, Bath,
- 17 Topsham - Lincoln County and Sagadahoc County;
- 18 (26) Morgan Meadow WMA - Raymond - Cumberland County;
- 19 (27) Mt. Agamenticus WMA - York, South Berwick - York County;
- 20 (28) Muddy River WMA - Topsham - Sagadahoc County;
- 21 (29) Narraguagus Junction WMA - Cherryfield - Washington County;
- 22 (30) Old Pond Farm WMA - Maxfield, Howland - Penobscot County;
- 23 (31) Orange River WMA - Whiting - Washington County;
- 24 (32) Peaks Island WMA - Portland - Cumberland County;
- 25 (33) Pennamaquam WMA - Pembroke, Charlotte - Washington County;
- 26 ~~(34) Steve Powell WMA - Perkins Township - Sagadahoc County (being the~~
- 27 ~~islands in the Kennebec River near Richmond known as Swan Island and Little~~
- 28 ~~Swan Island, formerly known as Alexander Islands);~~
- 29 (35) David Priest WMA (Dwinal Pond) - Lee, Winn - Penobscot County;
- 30 (36) James Dorso Ruffingham Meadow WMA - Montville, Searsmont - Waldo
- 31 County;
- 32 (37) St. Albans WMA - St. Albans - Somerset County;
- 33 (38) Sandy Point WMA - Stockton Springs - Waldo County;
- 34 (39) Scarborough WMA - Scarborough, Old Orchard Beach, Saco - Cumberland
- 35 County and York County;
- 36 (40) Steep Falls WMA - Standish, Baldwin - Cumberland County;

- 1 (41) Tyler Pond WMA - Manchester, Augusta - Kennebec County;
2 (42) Vernon S. Walker WMA - Newfield, Shapleigh - York County;
3 (43) R. Waldo Tyler Weskeag Marsh WMA - South Thomaston, Thomaston,
4 Rockland, Owl's Head - Knox County;
5 (43-A) Kennebec River Estuary WMA - Arrowsic, Bath, Georgetown,
6 Phippsburg, West Bath, Woolwich - Sagadahoc County;
7 (43-B) Tolla Wolla WMA - Livermore - Androscoggin County;
8 (43-C) Green Point WMA - Dresden - Lincoln County;
9 (43-D) Hurds Pond WMA - Swanville - Waldo County;
10 (43-E) Sherman Lake WMA - Newcastle, Damariscotta - Lincoln County;
11 (43-F) Ducktrap River WMA - Belmont, Lincolnville - Waldo County; and
12 (44) Such other areas as the commissioner designates, by rules adopted in
13 accordance with section 12701, as state-owned wildlife management areas.

14 **Sec. 3. Designation of Swan Island and Little Swan Island as a state park.**
15 The Department of Inland Fisheries and Wildlife shall transfer to the Department of
16 Conservation, Bureau of Parks and Lands control and management responsibilities for
17 state-owned land on Swan Island and Little Swan Island classified prior to the effective
18 date of this Act as a wildlife management area under the Maine Revised Statutes, Title
19 12, section 12708, subsection 1, paragraph B, subparagraph 34.

20 The bureau shall accept control and management of these lands in accordance with
21 the Maine Revised Statutes, Title 12, section 1815. The Director of the Bureau of Parks
22 and Lands shall classify these lands as a park and manage these lands consistent with
23 Title 12, chapter 220, subchapter 2. The bureau may not allow uses that will substantially
24 alter the essential purpose for holding the land as defined in Title 12, section 598,
25 subsection 5.

26 **Sec. 4. Transfer of funds.** No later than 15 days following the effective date of
27 this Act, the Treasurer of State shall transfer the balance of funds in the dedicated account
28 established under the Maine Revised Statutes, Title 12, section 12701, subsection 4 to the
29 Maine State Parks and Recreational Facilities Development Fund established under Title
30 12, section 1825, subsection 1.

31 **SUMMARY**

32 This bill provides for the transfer of control and management responsibilities for
33 state-owned land on Swan Island and Little Swan Island in Perkins Township, Sagadahoc
34 County from the Department of Inland Fisheries and Wildlife to the Department of
35 Conservation, Bureau of Parks and Lands.