

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

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PUBLIC LAWS
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CHAPTER 224

H. P. 981 — L. D. 1217

AN ACT Concerning the Leasing and Management of Public Lands.

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

Sec. 1. 12 MRSA § 557, sub-§ 3, first sentence, as enacted by PL 1975, c. 339, § 6, is amended to read:

Notwithstanding the other provisions of this section, 25% of the net revenues from any public lands, **excluding submerged lands and proceeds from the sale of land**, located in municipalities and ~~acquired by the State after the effective date of this Act and~~ managed by the Bureau of Public Lands, other than public reserved lands ~~and lands acquired from other governmental agencies and instrumentalities~~, shall be returned by the Treasurer of State to the municipality wherein the land generating the income is located, to be used for municipal purposes.

Sec. 2. 30 MRSA § 4162, sub-§ 4, ¶ D, as amended by PL 1977, c. 360, § 23, is further amended to read:

D. Lease campsites, garages, depots, warehouses and other structures, or sites for the same, for a term of years not exceeding 5; grant options to renew such leases for a further term of years not to exceed ~~5~~ 15 in the case of a commercial use which in the opinion of the director requires such option to secure adequate financing for the maintenance or improvement of facilities located upon public reserved land; and in the case of leases acquired by the State on lands exchanged for public reserved lands, shall authorize, upon reasonable terms and conditions, the transfer of leasehold interests from a lessee of a residential campsite to another; and sell storehouses and other structures and fixtures surplus to the needs of the bureau;

Sec. 3. 30 MRSA § 4162, sub-§ 4, ¶ K, as enacted by PL 1975, c. 339, § 8, is amended to read:

K. Lease the right to use parcels of land, **except submerged lands**, to municipalities and other **agencies or** political subdivisions of the State of Maine, and to private, not for profit organizations, for a period not to exceed 25 years, for purposes of protecting, enhancing or developing the natural, scenic or wilderness qualities or recreational, **scientific or educational** uses of the lands under the care, custody and control of the Bureau of Public Lands; provided that each such lease shall contain a provision authorizing the State of Maine to terminate such lease at any time when the State, in its sole discretion, determines such termination to be in the best interests of the State. No adjustment or compensation shall be due to any lessee under this section on account of such termination.

Sec. 4. 30 MRSA § 4162, sub-§ 5, as last amended by PL 1975, c. 771, § 325, is further amended to read:

5. **Transfer of responsibility.** Whenever a particular portion of the public reserved lands is to be used, pursuant to the management plan, for a **single dominant** use which use is within the particular expertise of another agency of the State, the Commissioner of the Department of Conservation may, with the consent of the Governor and the state agency involved, transfer to such other state agency the responsibility for the management of such particular portion of the public reserved lands.

Sec. 5. PL 1977, c. 156, § 2, is repealed.

Effective September 14, 1979

CHAPTER 225

H. P. 268 — L. D. 349

AN ACT Relating to Discharges and Emissions From Nuclear Generating Facilities.

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

35 MRSA c. 269 is enacted to read:

CHAPTER 269

NUCLEAR POWER GENERATING FACILITIES

SUBCHAPTER 1

EMISSIONS REPORTING

§ 3331. Purpose

The Legislature finds that nuclear power plants routinely release radioactive materials to the environment. These radioactive materials are generally released in a controlled manner and within the limits established by the Nuclear Regulatory Commission. Some of these releases have been unplanned, unscheduled and inadvertent. On occasion, they exceed technical specification limits. No firm evidence exists that these radioactive emissions do or do not present a genetic or long-term health risk. Most authorities agree that it should be assumed that radiation at any dose level has a finite risk. The Legislature finds, therefore, that the public welfare will be better protected if the public is fully informed on any release of radioactive materials to the environment.

§ 3332. Reports to the Commissioner of Human Services