

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

SECOND SPECIAL SESSION

September 25, 1981

AND

THIRD SPECIAL SESSION

December 9, 1981

AND

SECOND REGULAR SESSION

January 6, 1982 to April 13, 1982

AND AT THE

FOURTH SPECIAL SESSION

April 28, 1982 to April 29, 1982

AND AT THE

FIFTH SPECIAL SESSION

May 13, 1982

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

J.S. McCarthy Co.
Augusta, Maine
1981

**PRIVATE AND
SPECIAL LAWS**

OF THE

STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION

and

FIFTH SPECIAL SESSION

of the

ONE HUNDRED AND TENTH LEGISLATURE

1981

1982-83

Less: Adjustments for rounding of mill rates for 1978, 1979 and 1980, supplemental, abatements and reserves for accounts' receivables	(500,000)
Net Requirement	\$6,145,512

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective April 16, 1982.

CHAPTER 112

S.P. 855 - L.D. 1992

AN ACT to Accept Relinquishment of Exclusive Federal Jurisdiction Over Marshall Point Light Station in the Town of St. George.

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

Whereas, legislation is needed to accept concurrent legislative jurisdiction with the Federal Government over Marshall Point Light Station in the Town of St. George; and

Whereas, concurrent jurisdiction is needed at the earliest possible time in order to provide necessary services during the forthcoming summer season; and

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

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

Acceptance of federal relinquishment of exclusive jurisdiction; Marshall Point Light Station. In accordance with the provisions of the Revised Statutes, Title 1, section 8, the State of Maine hereby accepts the relinquishment by the United States of exclusive legislative jurisdiction over Marshall Point Light Station in the Town of St. George and County of Lincoln, bounded as follows:

Beginning at the high water mark at the point called Marshall's Point, approximately N. 55°, 51'W and S.55°, 55'E; thence running northwardly, carrying the full width of the land between high water mark on the easterly side and the high water mark on the westerly side of said point, so far as to contain 4 acres, together with the land from high water mark to low water mark.

Upon this Act taking effect, the State of Maine shall acquire concurrent jurisdiction over these premises with the United States.

A copy of the notice of relinquishment of exclusive federal jurisdiction is attached hereto and made a part hereof.

NOTICE OF RELINQUISHMENT OF EXCLUSIVE FEDERAL
JURISDICTION OVER MARSHALL POINT LIGHT STATION
TOWN OF ST. GEORGE
COUNTY OF LINCOLN
STATE OF MAINE

The United States of America, acting through the United States Coast Guard; as provided in Title 10, United States Code, Section 268-3, hereby relinquishes the exclusive legislative jurisdiction of the United States, effective upon acceptance by the Legislature of the State of Maine, as provided in Title 1, Maine Revised Statutes Annotated, Section 8, over a certain parcel of land in the Town of St. George, County of Lincoln, State of Maine, bounded as follows:

Beginning at the high water mark at the point called Marshall's Point, approximately N.55°, 51'W and S.55°, 55'E; thence running Northwardly, carrying the full width of the land between high water mark on the Easterly side and the high water mark on the Westerly side of said point, so far as to contain four acres, together with the land from high water mark to low water mark.

The United States of America retains concurrent juris-

diction over the premises. The State of Maine upon acceptance by the Legislature will acquire concurrent jurisdiction over the premises.

Whereas, it is provided by Title 10, United States Code, Section 2683 that the Secretary of Transportation may relinquish the legislative jurisdiction of the United States over lands under his control to the State in which said lands are located; and

Whereas, it is provided in Title 49, Code of Federal Regulations, Section 1.45(a)(2) and Section 1.46(b) that the Commandant of the United States Coast Guard has been delegated the Secretary of Transportation's authority to relinquish the legislative jurisdiction of the United States over lands under the Commandant control; and

Whereas, it is provided in Title 33, Code of Federal Regulations, Section 1.01-1, that the Commander, First Coast Guard District has been delegated the Commandant's authority to relinquish the legislative jurisdiction of the United States over lands within the First Coast Guard District; and

Whereas, the United States Coast Guard has exclusive legislative jurisdiction over the land designated as Marshall Point Light Station, and

Whereas, the Town of St. George, Maine has been licensed to use the said premises but lacks law enforcement authority over the property, and

Whereas, it is the benefit of the Coast Guard to have the Town of St. George ensure the security of the property and it is to the benefit of the Town of St. George to be able to enforce the quiet use of the premises.

Now, therefore, the United States of America, acting through the United States Coast Guard, relinquishes the exclusive legislative jurisdiction of the United States, effective upon acceptance by the Legislature of the State of Maine as provided in Title 1, Maine Revised Statutes Annotated, Section 8, over a certain parcel of land in the Town of St. George, County of Lincoln, State of Maine, bounded as follows:

Beginning at the high water mark at the point called Marshall's Point, approximately N.55°, 51'W, and S.55°, 55'E; thence running Northwardly, carrying the full width of the land between high water mark on the Easterly side and the high water mark on the Westerly side of said point, so far as to contain four acres, together with the land from high water mark to low water mark.

The United States of America retains sufficient legislative jurisdiction over the premises, concurrent with the jurisdiction of the State of Maine, to accomplish the purposes for which the property is used. The State of Maine shall have jurisdiction over the property only for so long as the Town of St. George shall use it for recreational purposes, as follows:

1. The Town of St. George, Maine, and its guests and invitees shall have jurisdiction to use the area for recreational purposes;

2. The Town of St. George, Maine, shall have jurisdiction to manage the area for recreational purposes;

3. All State and local laws which do not conflict with any Federal law shall be applicable; and

4. State, county, and local enforcement officials shall have authority to enforce the laws described in #3 above and rules and regulations relating to the management of #2 above.

Dated this 30th day of March 1982

Commander
First Coast Guard District
C. E. Robbins
Acting

Joseph E. Brennan
Governor
State of Maine

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective April 16, 1982.
