

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND FIFTEENTH LEGISLATURE

THIRD SPECIAL SESSION
October 1, 1992 to October 6, 1992

FOURTH SPECIAL SESSION
October 16, 1992

ONE HUNDRED AND SIXTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 2, 1992 to July 14, 1993

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 13, 1993

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1993

RESOLVES
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND SIXTEENTH LEGISLATURE
1993

CHAPTER 27**S.P. 495 - L.D. 1515****Resolve, Authorizing the Conveyance of Certain Camp Lease Lots on Public Lands, the Exchange of Certain Rights-of-way for Fee Simple Interest in Land, the Conveyance of Certain Timber and Grass Rights through Release Deeds and the Extension of a Road Construction Use Permit Right-of-way for a Period of 99 Years**

Sec. 1. Director of Bureau of Public Lands; property conveyed by quitclaim deed. Resolved: That the Director of the Bureau of Public Lands may convey by quitclaim deed the following property:

1. To Henry Bahrenburg of Newton, Connecticut, John Juliussen of Seaford, New York and Richard Rugen of Hope Falls, New York the land described in a Contract of Sale, dated February 19, 1993, between the 3 parties and the State, acting by and through the Department of Conservation, Bureau of Public Lands;

2. To Bert Wesley McBurnie and Marguerite Marie McBurnie of Chesuncook Village, Maine the land described in a Contract of Sale, dated February 19, 1993, between the McBurnies and the State, acting by and through the Department of Conservation, Bureau of Public Lands; and

3. To David F. Whorf of Falmouth, Maine the land described in a Contract of Sale, dated March 9, 1993, between David F. Whorf and the State, acting by and through the Department of Conservation, Bureau of Public Lands.

All money received from the sales of these parcels of land must be deposited in the Public Reserved Lands Acquisition Fund and used to purchase additional land for the public reserved lands system; and be it further

Sec. 2. Director of Bureau of Public Lands; rights-of-way conveyed by easement deed. Resolved: That the Director of the Bureau of Public Lands may convey by easement deed to Patricia Heath of East Sullivan, Maine the rights-of-way described in an Exchange Agreement, dated April 12, 1993, between Patricia Heath and the State, acting by and through the Department of Conservation, Bureau of Public Lands; and be it further

Sec. 3. Director of Bureau of Public Lands; interest in lands conveyed by release deeds. Resolved: That the Director of the Bureau of Public Lands, acting on behalf of the State, is authorized to convey to subsequent owners of record certain timber and grass rights that were released to previous owners of record by the agreements contained in Resolve 1983, chapters 76, 79 and 87 and Resolve 1985, chapters 40 and 77. The

State and its agencies and employees are immune from any liabilities, damages, costs or claims of any kind or nature arising from or in any way related to errors in identification of the successor grantees; and be it further

Sec. 4. Director of Bureau of Public Lands; road construction and use permit right-of-way extended for term of 99 years. Resolved: That, notwithstanding the 25-year term limit for leases set forth in the Maine Revised Statutes, Title 12, section 585, subsection 4, paragraph J, the Director of the Bureau of Public Lands may extend to the Forest Products Maintenance Corporation and the Town of Greenville, for a term of 99 years, the right-of-way described in an existing Road Construction and Use Permit Right-of-way, dated August 29, 1988, between the Forest Products Maintenance Corporation and the Bureau of Public Lands.

See title page for effective date.

CHAPTER 28**H.P. 616 - L.D. 831****Resolve, to Direct the Economic Development and Business Assistance Coordinating Council to Develop a Statement of Principles and Standards for Sustainable Development**

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

Whereas, economic development must be sustainable, protect the environment and preserve natural resources; and

Whereas, the background information and operational guidelines to direct this growth is virtually nonexistent; 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

Sec. 1. Statement of principles and standards. Resolved: That the Economic Development and Business Assistance Coordinating Council, referred to in this resolve as the council, shall develop principles and guidelines for use by regional development organizations by November 1, 1993; and be it further

Sec. 2. Contents. Resolved: That the principles and guidelines developed by the council pursuant to this resolve must include but are not limited to the following:

1. The purpose and philosophy of sustainable development and its relevance to regions of the State and the State as a whole;

2. A description of existing models of sustainable development within and outside the State and their economic impact, referencing in particular the statement of principles developed by the New England Governors and Eastern Canadian Premiers Association;

3. A statement about the importance of grassroots, indigenous and "homegrown" businesses for stable economic growth in regions defined by their natural resource base;

4. A statement about the potential for new enterprises, including the envirotech industries, emerging from sustainable development approaches;

5. Guidelines for collaboration and cooperation in research development and marketing of allied products within the region consistent with "3rd wave" industrial development approaches;

6. Models and guidelines for public and private research and development including innovative financing options for joint ventures;

7. A statement about the role of alternative sources of energy and transportation planning in sustainable development;

8. Identification of the interested parties and contributors to sustainable development strategies within a region;

9. How regional plans and strategies will be supported and facilitated; and

10. How regional sustainable development strategies will shape statewide development policies and strategies; and be it further

Sec. 3. Statement development. Resolved: That the council shall sponsor and hold workshops to develop and refine the principles and guidelines; and be it further

Sec. 4. Dissemination. Resolved: That the council shall broadly distribute the principles and guidelines to all local and regional development, business, labor, education and research entities interested in economic development; and be it further

Sec. 5. Report. Resolved: That the council shall present the principles and guidelines by November 1, 1993 to the Legislative Council together with a report of its findings and recommendations for any legislation.

Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective June 11, 1993.

CHAPTER 29

H.P. 478 - L.D. 615

Resolve, to Require a Study of Adult Inmate Education and Training in the Correctional System

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

Whereas, most prison inmates are undereducated when compared to the general population; and

Whereas, there is a correlation between education and positive life experiences, and some studies show a correlation between more prison education and lower recidivism; and

Whereas, state prison programs have been severely affected by budget cuts and the education program at the State's prisons has a below-average participation rate; and

Whereas, there are a number of innovative programs being utilized or studied in other states; and

Whereas, it is essential to complete a study of inmate education and training by the beginning of the next session of the Legislature so that the findings of the study can be implemented at the earliest time; 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

Sec. 1. Department of Corrections required to study inmate education and training. Resolved: That the Department of Corrections, referred to in this resolve as the "department," shall conduct a review of the academic and vocational education provided to the department's adult prisoners, to include a description of the programs, the curricula, the number and qualifications of the instructors and the number of inmates participating in each program; and be it further