

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE**

**FIRST SPECIAL SESSION**  
**August 21, 2003 to August 22, 2003**

**The General Effective Date For**  
**First Special Session**  
**Non-Emergency Laws Is**  
**November 22, 2003**

**SECOND REGULAR SESSION**  
**January 7, 2004 to January 30, 2004**

**The General Effective Date For**  
**Second Regular Session**  
**Non-Emergency Laws Is**  
**April 30, 2004**

**SECOND SPECIAL SESSION**  
**February 3, 2004 to April 30, 2004**

**The General Effective Date For**  
**Second Special Session**  
**Non-Emergency Laws Is**  
**July 30, 2004**

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

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2004**

**Sec. 4. Director of Bureau of Parks and Lands authorized to convey certain real estate to Town of Greenville. Resolved:** That the Director of the Bureau of Parks and Lands within the Department of Conservation may by quitclaim deed convey for appraised fair market value, and on such other terms and conditions as the director may direct, to the Town of Greenville a certain lot or parcel of land up to 45 acres located in Little Moose Township, T3R5BKP EKK, said conveyance to be for the limited purpose of expansion of the Greenville Industrial Park and subject to approval by the voters of the Town of Greenville; and be it further

**Sec. 5. Director of Bureau of Parks and Lands authorized to convey certain real estate to Town of Corinna. Resolved:** That the Director of the Bureau of Parks and Lands within the Department of Conservation may by quitclaim deed convey for One Dollar, \$1.00, and on such other terms and conditions as the director may direct, to the Town of Corinna a certain lot or parcel of land located at the intersection of Spring Street, Exeter Street and Center Street in the Town of Corinna, Penobscot County, State of Maine, being those same premises described in a deed from the Finance Authority of Maine to Ralph A. Berg, dated July 31, 1997 and recorded in the Penobscot County Registry of Deeds August 21, 1997 in Book 6469, Page 11. Title to the parcel passed to the State in 2000 pursuant to the Maine Revised Statutes, Title 18-A, section 2-105 at the death of Ralph A. Berg, who died testate and whose heirs disclaimed all interest.

See title page for effective date.

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**CHAPTER 138**

**H.P. 1443 - L.D. 1943**

**Resolve, Regarding Legislative Review of Portions of Chapter 299: Highway Driveway and Entrance Rules, a Major Substantive Rule of the Department of Transportation**

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

**Whereas,** the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** the above-named major substantive rule has been submitted to the Legislature for review; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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. Adoption. Resolved:** That final adoption of Portions of Chapter 299: Highway Driveway and Entrance Rules, a provisionally adopted major substantive rule of the Department of Transportation that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective April 22, 2004.

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**CHAPTER 139**

**H.P. 1455 - L.D. 1955**

**Resolve, Directing the Commissioner of Marine Resources To Review the Licensing Requirements for the Harvest of Certain Marine Resources**

**Preamble. Whereas,** the Legislature finds that state laws pertaining to marine resources, including but not limited to the commercial utilization of lobster, scallop, sea urchins, finfish, marine worms and shellfish, were duly enacted and are constitutionally valid; and

**Whereas,** it is essential for the long-term viability and health of Maine's marine resources that all of Maine's marine resources-related laws continue to be vigorously enforced; and

**Whereas,** state laws pertaining to marine resources must function in accordance with numerous federal laws and within the framework established by the United States Constitution and the Constitution of Maine to provide legal stability for the long-term management of these resources; and

**Whereas,** the periodic review of Maine's marine resources-related laws is necessary to improve the operation and effectiveness of those laws; and

**Whereas,** the Department of Marine Resources is uniquely situated to identify opportunities that will