

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

SECOND REGULAR SESSION
January 2, 2008 to March 31, 2008

FIRST SPECIAL SESSION
April 1, 2008 to April 18, 2008

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 2008

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
JULY 18, 2008

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

Penmor Lithographers
Lewiston, Maine
2008

**CHAPTER 540
H.P. 1407 - L.D. 2023**

**An Act To Repeal the Cap on
Rental Rates for State
Submerged Lands**

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

Sec. 1. 12 MRSA §1862, sub-§2, ¶E, as amended by PL 2005, c. 134, §3, is further amended to read:

E. Beginning January 1, 1997, the maximum rent to which any lease is subject may not exceed \$1,200 per year. The \$1,200 limit does not apply to a large-scale project. The director shall establish through rulemaking criteria for determining a project's designation as a large-scale project and criteria for establishing rents for large-scale projects. Rules adopted pursuant to this paragraph are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A. This paragraph is repealed June 30, 2009.

Sec. 2. Director of the Bureau of Parks and Lands to convene a working group to assist in the development of a fair and equitable rent structure for leasing submerged lands. The Director of the Bureau of Parks and Lands within the Department of Conservation shall convene a working group to advise and assist the Department of Conservation, Bureau of Parks and Lands in developing a rent structure for leasing submerged land that is fair and equitable. The working group may recommend a phase-in period to ease the transition into the new rent structure.

Based on the draft rent schedule developed and circulated by the bureau in 2007 and early 2008, the director shall invite representatives of the following groups of lessees to participate in the working group:

1. Two whose leases exceed \$10,000 annually;
2. Two whose leases are between \$3,000 and \$9,999; and
3. Two whose leases are between \$1,200 and \$2,999.

In addition, the director shall also seek participation from members of the Submerged Lands Advisory Board, representatives of marine trade groups and at least 2 members from the general public. Assistance to the working group must be provided within existing resources of the bureau.

Sec. 3. Report to the Joint Standing Committee on Agriculture, Conservation and Forestry. No later than October 22, 2008, the Director of the Bureau of Parks and Lands within the De-

partment of Conservation shall provide the Joint Standing Committee on Agriculture, Conservation and Forestry with a copy of the rent schedule developed pursuant to section 2, including a summary of the working group's meetings, the rationale for various rent categories and a timeline for phasing in the new lease rates.

See title page for effective date.

**CHAPTER 541
H.P. 670 - L.D. 885**

**An Act To Implement the
Recommendations of the
Commission To Study the
Costs of Providing Certain
Services in the Unorganized
Territories**

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

PART A

Sec. A-1. 30-A MRSA §7504 is enacted to read:

§7504. Service fees

1. Authority. The county commissioners of each county may impose a service fee on recipients of eligible services, as described in subsection 2, provided in the unorganized territory.

2. Eligible services. For the purposes of this section, eligible services include:

- A. Solid waste management;
- B. Structural fire protection;
- C. Ambulance and emergency medical services;
- D. Law enforcement;
- E. Animal control; and
- F. Other services provided to property owners or residents in a limited geographic area.

3. Conditions. A service fee imposed under this section must be:

- A. Based on the actual cost of providing the service;
- B. Imposed only on persons eligible for or actually receiving the service; and
- C. Imposed on all similarly situated persons eligible for or actually receiving the service.

4. Use of revenues. Revenues received under this section must be used to reduce the amount re-