

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-FIRST LEGISLATURE

FIRST REGULAR SESSION
December 7, 2022 to March 30, 2023

FIRST SPECIAL SESSION
April 5, 2023 to July 26, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NONEMERGENCY LAWS IS
JUNE 29, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NONEMERGENCY LAWS IS
OCTOBER 25, 2023

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

Augusta, Maine
2023

CHAPTER 46
S.P. 664 - L.D. 1659

**Resolve, Authorizing the
Department of Agriculture,
Conservation and Forestry,
Bureau of Parks and Lands to
Enter into Certain Leases**

Preamble. The Constitution of Maine, Article IX, Section 23 requires that real estate held by the State for conservation or recreation purposes may not be reduced or its uses substantially altered except on the vote of 2/3 of all members elected to each House.

Whereas, certain real estate authorized for leasing by this resolve is under the designations described in the Maine Revised Statutes, Title 12, section 598-A; and

Whereas, the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry may convey or lease state parks and public reserved lands for utilities in accordance with Title 12, section 1814 or section 1852, subsection 4, respectively; and

Whereas, the Bureau of Parks and Lands previously issued leases for electric power and telecommunications pursuant to these laws, and those leases have expired or will soon expire; and

Whereas, Title 12, section 1852, subsection 4 provides that poles and electric power transmission and telecommunications lines and facilities are deemed to substantially alter public reserved lands and any 25-year lease of public reserved lands for such uses requires 2/3 approval of all members elected to each House; and

Whereas, the Bureau of Parks and Lands has begun drafting, but not yet provisionally adopted, the major substantive rules required by Title 12, section 598-C, pursuant to which the Bureau of Parks and Lands will establish a public administrative process for determining whether a proposed activity on designated lands under the jurisdiction of the bureau would cause the land to be reduced or its uses substantially altered; now, therefore, be it

Sec. 1. Director of the Bureau of Parks and Lands is authorized, but not directed, to lease certain land within Dyer Township, Washington County. Resolved: That the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry may lease to Greg Tantimonico and Ronald Wright, on such terms and conditions as the director may direct, certain land within the St. Croix Waterway in Dyer Township, T.1, R.2, T.S., Washington County. This land is designated as state park land, and the lease is for an existing above-ground electric line for camp lots. The lease area occupies approximately 0.5 acres, and the original lease was

signed by the bureau in 2018 and expires on June 30, 2023.

Sec. 2. Director of the Bureau of Parks and Lands is authorized, but not directed, to lease certain land within the Town of Sullivan, Hancock County. Resolved: That the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry may lease to Versant Power, formerly Bangor Hydro Electric, on such terms and conditions as the director may direct, certain land within Donnell Pond Public Reserved Lands in the Town of Sullivan, Hancock County. The lease is for an existing 30-foot-wide utility corridor and occupies approximately 0.6 acres. The original lease was signed by the bureau in 1997 and expired on April 1, 2022.

Sec. 3. Director of the Bureau of Parks and Lands is authorized, but not directed, to lease certain land within Township 21, Washington County. Resolved: That the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry may lease to M&N Operating Co., L.L.C., on such terms and conditions as the director may direct, certain land on the Township 21 public reserved lands within Washington County. The lease is for an existing natural gas pipeline and occupies approximately 5.5 acres. The original lease was signed by the bureau in 1999 and expires on January 31, 2024.

Sec. 4. Director of the Bureau of Parks and Lands is authorized, but not directed, to lease certain land within Upper Enchanted Township, Somerset County. Resolved: That the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry may lease to the Department of Administrative and Financial Services, Office of Information Technology, on such terms and conditions as the director may direct, certain land, formerly leased to the Department of Transportation, on the Coburn Mountain public reserved lands within Upper Enchanted Township, Somerset County. The lease is for existing radio telecommunications facilities and occupies approximately 0.4 acres. The original lease was signed by the bureau in 1999 and expires on June 10, 2024.

Sec. 5. Director of the Bureau of Parks and Lands is authorized, but not directed, to enter into a boundary line adjustment on certain land within the Town of Lamoine, Hancock County. Resolved: That the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry may enter into a boundary line adjustment agreement with Ms. Elizabeth Franco and Ms. Lynne Cleary to correct an inaccurate boundary line at Lamoine State Park, on such terms and conditions as the director may direct. This land area occupies approximately 0.1 acre.

See title page for effective date.

**CHAPTER 47
S.P. 599 - L.D. 1479**

Resolve, Directing the Public Utilities Commission to Convene a Stakeholder Group Regarding Liquefied Propane Gas Systems and the So-called Dig Safe Law

Sec. 1. Public Utilities Commission to convene stakeholder group relating to liquefied propane gas. Resolved: That the Public Utilities Commission, referred to in this resolve as "the commission," shall convene a group of stakeholders under section 2 to discuss matters relating to liquefied propane gas, including:

1. The amendment to then-existing law in Public Law 2019, chapter 592, section 1;
2. The options available to the commission to ensure that the safety measures established by the underground facility damage prevention system are maintained while reducing the administrative requirements for membership and participation in the system that are applicable to liquefied propane gas distribution systems that have an underground tank or pipe; and
3. Any additional considerations that the stakeholder group determines are relevant related to the participation in the underground facility damage prevention system of liquefied propane gas distribution systems that have an underground tank or pipe.

Sec. 2. Stakeholder group. Resolved: That members of the stakeholder group in section 1 must include:

1. One or more representatives from the Maine Energy Marketers Association;
2. One or more representatives from the Propane Gas Association of New England;
3. One or more individuals who own or operate a liquefied propane gas distribution system of various sizes that has an underground tank or pipe;
4. One individual representing the Department of Environmental Protection;
5. One individual representing the Maine Fuel Board;
6. One individual representing the Office of the State Fire Marshal;
7. One individual representing the interests of property and casualty insurers;

8. One individual representing the Maine chapter of the Associated General Contractors of America; and

9. Any other person that the commission determines necessary to ensure that all interests regarding the discussion in section 1 are represented fairly.

Sec. 3. Report. Resolved: That, by December 6, 2023, the commission shall submit a report summarizing the discussion under section 1 and any recommended legislation to the Joint Standing Committee on Energy, Utilities and Technology, which may report out legislation to the Second Regular Session of the 131st Legislature.

See title page for effective date.

**CHAPTER 48
H.P. 1198 - L.D. 1868**

Resolve, to Name 2 Brooks in the Town of Orient

Sec. 1. Brooks named. Resolved: That the Department of Administrative and Financial Services, Office of Information Technology, Office of Geographic Information Systems shall name the following brooks and provide a recommendation about the naming of the brooks to the United States Department of the Interior, United States Geologic Survey, United States Board on Geographic Names:

1. The brook in the Town of Orient, Aroostook County, that flows under Boundary Road and into MacAllister Cove of Grand Lake is the Calais Bound Brook; and
2. The brook in the Town of Orient, Aroostook County, that flows under Boundary Road and Route 1, towards Skagrock Brook is the Bangor Bound Brook.

See title page for effective date.

**CHAPTER 49
H.P. 244 - L.D. 393**

Resolve, Regarding Legislative Review of Portions of Chapter 33: Rules Governing Physical Restraint and Seclusion, a Major Substantive Rule of the Department of Education

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