



Testimony in Support of LD 1075, “An Act To Protect Public Lands”  
By Nick Bennett, Staff Scientist

April 1, 2021

Senator Dill, Representative O’Neil, and members of the Agriculture, Conservation, and Forestry Committee:

My Name is Nick Bennett, and I am the staff scientist for the Natural Resources Council of Maine (NRCM). NRCM is Maine’s largest environmental advocacy group, with more than 25,000 members and supporters. I am testifying in support of LD 1075.

As the Committee well knows, there are no objective regulatory criteria for how the Bureau of Parks and Lands (BPL) determines whether a proposed use of public land would reduce or substantially alter that land. According to the Maine Constitution (Article IX, Section 23), in cases where a proposed use would reduce or substantially alter public land, BPL must seek a 2/3 vote of the Legislature in order to approve that use. LD 1075 would require BPL to adopt rules specifying how to determine whether a use reduces or substantially alters public land. It would also require BPL to adopt rules allowing for public notice and comment. These rules would be major substantive, meaning the Legislature would have to approve them.

The type of rules LD 1075 envisions would help prevent future BPL failures to consult the Legislature over uses of public land that obviously substantially alter that land. Had such rules been present, BPL would not have been able to negotiate the illegal lease for the Central Maine Power (CMP) corridor across public lands without properly seeking legislative approval and allowing public scrutiny of the lease. The absence of these rules does not excuse the clearly illegal actions that CMP and BPL took with regard to leasing the state’s public lands under two different administrations, but new rules would make such an occurrence much less likely in the future.

I urge the Committee to vote “ought-to-pass” on LD 1075, and I would be happy to take any questions.