

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND TWENTY-THREE

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 aboveground 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.