

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
107TH LEGISLATURE

COMMITTEE AMENDMENT "A " to H.P. 703, L.D.
930, Bill, "AN ACT to Improve the Management
of the Public Lands."

Amend said Bill by inserting before the
underlined words "the State Geologist"
in the 5th line of section 1 (4th line in L.D.)
the underlined words 'who shall be'

Further amend said Bill in section 6
by striking out everything after paragraph F of
subsection 2 of that part designated "§552."
and before that part designated "§553."

Further amend said Bill in that part
designated "§553." by inserting in the first
line of paragraph C of subsection 3 (same in
L.D.) after the underlined words "report on"
the underlined words 'or before'

Further amend said Bill in that part
designated "§556." by inserting before
subsection 1 the following:

'1. Legislative policy. The Legislature
declares that it shall be the policy of the State
to keep the public reserved lands as a public
trust; and that full and free public access to
the public reserved lands, to the extent
permitted by law, together with the right to
reasonable use thereof, shall be the privilege
of every citizen of Maine. The Legislature
further declares that it recognizes that such
free and reasonable public access may be
restricted to assure the optimum value of such
lands as a public trust; but that such
restrictions, if and when imposed, shall be
in strict accordance with the requirements set
out in this section.

Further amend said Bill in that part designated "§556." by renumbering subsections 1 to 3 to be subsections 2 to 4.

Further amend said Bill in section 8 by adding at the end of paragraph D of that part designated subsection 4 the following:

'grant options to renew such leases for a further term of years not to exceed 5 in the case of a commercial camp which in the opinion of the director requires such option to secure adequate financing for the maintenance or improvement of facilities located upon public reserved land; and authorize, upon reasonable terms and conditions, the transfer of leasehold interests from a lessee of a residential campsite to another;'

Further amend said Bill by inserting at the end of section 8 the following:

'K. Lease the right to use parcels of land to municipalities and other political subdivisions of the State of Maine, and to private, not for profit organizations, for a period not to exceed 25 years, for purposes of protecting, enhancing or developing the natural, scenic or wilderness qualities or recreational uses of the lands under the care, custody and control of the Bureau of Public Lands; provided that each such lease shall contain a provision authorizing the State of Maine to terminate such lease at any time when the State, in its sole discretion, determine such termination to be in the best interests of the State. No adjustment or compensation shall be due to any lessee under this section on account of such termination.'

Further amend said Bill in section 9 by inserting after the underlined figure and punctuation "8." in the 7th line from the end (same in L.D.) the following:

'Persons with residential leasehold interests in public lands on effective date of Act.'

Further amend said Bill in section 9 by inserting after the underlined words "interests in public reserved lands" in the 6th and 7th lines from the end (same in L.D.) the underlined words 'on the effective date of this Act'

Further amend said Bill in section 12 by striking out all of subsections 1 and 2 of that part designated "§4169." and inserting in place thereof the following:

'1. Recommendation to the Legislature. The director may make recommendations to the Legislature for the sale, exchange or relocation of public reserved lands. He shall, only after the approval of the Legislature, sell, exchange or relocate such lands.'

Further amend said Bill in section 12 by renumbering subsections 3 and 4 of that part designated "§4169." to be subsections 2 and 3.

Statement of Fact

This amendment:

1. Clarifies the language concerning the membership of the Maine Mining Bureau;
2. Deletes a subsection concerning public land policy coordination;
3. Deletes a subsection referring to real property transactions;

4. Permits the Director of the Bureau of Public Lands to report to the Legislature on or before the 30th day of each regular session;

5. Adds a section defining the state policy concerning public lands;

6. Expands the section concerning leasing of campsites, garages, depots, warehouses and other structures;

7. Permits the director to lease parcels of land to municipalities, other political subdivisions of the State and nonprofit corporations for the protection and development of natural, scenic and wilderness qualities or for recreational uses;

8. Clarifies the provision concerning persons with residential leasehold interests in public lands on the effective date of this Act; and

9. Consolidates provisions concerning the sale of public lands.

Reported by the Committee on Public Lands.

Reproduced and distributed under the direction of
the Clerk of the House.
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