

# MAINE STATE LEGISLATURE

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R. of S.

L.D. 1953

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ENERGY & NATURAL RESOURCES

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
116TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1428, L.D. 1953, Bill, "An Act to Designate Certain Lands under the Constitution of Maine, Article IX, Section 23"

Amend the bill in section 1 in that part designated "~~§598.~~" by striking out all of subsection 5 (page 1, lines 33 to 37 in L.D.) and inserting in its place the following:

'5. Substantially altered. "Substantially altered" means changes in the use of designated lands that significantly alter its physical characteristics in a way that frustrates the essential purposes for which that land is held by the State. The essential purposes of state parks, historic sites, public access sites, facilities for boats and the Allagash Wilderness Waterway are the protection, management and improvement of these properties for public recreation, conservation, scenic values, nature appreciation, historic preservation and interpretation, public access and related purposes. The essential purposes of public lots and public reserved lands are the protection, management and improvement of these properties for the multiple use objectives established in section 585. The essential purposes of lands acquired through the Land for Maine's Future Board that are not held by the Department of Inland Fisheries and Wildlife or by the Department of Conservation are the protection, management and improvement of those lands for recreation,

**COMMITTEE AMENDMENT**

conservation, farming, open space, plant and animal habitat, scenic values, public access and related purposes. The essential purposes of state-owned wildlife management areas and game farms are the protection, management and improvement of those properties for fish and wildlife habitat and propagation, hunting, trapping, fishing, recreation, propagation and harvesting of forest and other natural products and related purposes.

Further amend the bill in section 1 in that part designated "§598-A." by striking out all of subsections 2 to 7 (page 2, lines 16 to 40 in L.D.) and inserting in their place the following:

2. Public lands and public reserve lots. Lands under the care, custody, control and management of the Bureau of Public Lands pursuant to chapter 202, and public reserved lands as defined in section 585, subsection 2, paragraph B, except for:

A. Submerged lands; and

B. All parcels of public reserved land in the towns of Bradley, LaGrange and Bradford held by the Bureau of Public Lands on January 1, 1994;

3. Certain Bureau of Parks and Recreation Lands. The following lands held by the Bureau of Parks and Recreation:

A. Lands that constitute a state park or historic site as those terms are defined in chapter 203;

B. Lands that constitute the Allagash Wilderness Waterway as defined in chapter 206; and

C. Lands used for public boat facilities under the provisions of Title 38, chapter 1, subchapter VIII, including launching ramps, locks, parking sites and access roads;

4. Baxter State Park Authority lands. Lands managed by the Baxter State Park Authority not acquired by deed of gift and not contiguous to Baxter State Park. Specifically, lands deeded by Governor Percival P. Baxter by deeds of gift and lands managed by the Baxter State Park Authority that are contiguous to Baxter State Park are not designated lands;

5. Lands gifted to the State. Except as provided in subsection 4, lands acquired by a deed of gift for conservation purposes; and

2 6. Lands acquired pursuant to referendum. Lands acquired  
4 by the State through the Land for Maine's Future Board under  
6 Title 5, Part 15-A.'

8 **STATEMENT OF FACT**

10 This amendment clarifies the bill with respect to the  
12 definition of the term "substantially altered" and with respect  
14 to what lands acquired by the State by deed of gift were intended  
16 to be designated. The amendment specifically states that lands  
18 deeded to the State by Governor Percival P. Baxter by deeds of  
20 gift and lands managed by the Baxter State Park Authority that  
22 are contiguous with Baxter State Park are not designated lands.  
24 The amendment also changes the list of lands designated in the  
bill by including public boat facilities held by the Bureau of  
Parks and Recreation and by excluding submerged lands and 6  
parcels of public reserved lands currently held by the Bureau of  
Public Lands that were acquired with the specific intent to  
trade. Those parcels acquired for the purpose of trade consist  
of 2 parcels in Bradley that total 8,843 acres, 3 parcels in  
LaGrange that total 2,048 acres and one 804-acre parcel in  
Bradford.