

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

SECOND REGULAR SESSION-1998

Legislative Document

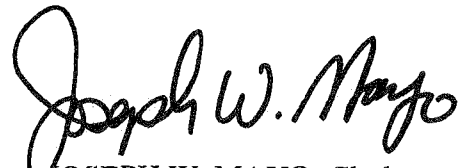
No. 2254

H.P. 1626

House of Representatives, March 4, 1998

**Resolve, Authorizing Certain Land Transactions by the Bureau of Parks
and Lands.**

Reference to the Committee on Agriculture, Conservation and Forestry suggested and
ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative DEXTER of Kingfield. (GOVERNOR'S BILL)
Cosponsored by Senator KILKELLY of Lincoln and
Senators: BENOIT of Franklin, MILLS of Somerset, PARADIS of Aroostook.

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

7 **Whereas,** the real estate authorized for conveyance by this
8 resolve is under the designations described in the Maine Revised
9 Statutes, Title 12, section 598-A; and

10 **Whereas,** the Director of the Bureau of Parks and Lands
11 within the Department of Conservation may sell or exchange lands
12 with the approval of the Legislature in accordance with the Maine
13 Revised Statutes, Title 12, section 553, subsection 3, paragraph
14 F and section 590; now, therefore, be it

15 **Sec. 1. Director of the Bureau of Parks and Lands authorized to**
16 **convey certain real estate in Colorado. Resolved:** That the Director of
17 the Bureau of Parks and Lands within the Department of
18 Conservation may by quitclaim deed convey the following property
19 for not less than fair market value or best offer through
20 competitive bidding:
21

22 All of the State of Maine's right, title and interest in and
23 to approximately 157 acres in Montezuma County, State of
24 Colorado, more particularly described as the east half of
25 the south west quarter (E 1/2 SW 1/4) and lots six (6) and
26 seven (7) of Section six (6), Township thirty-five (35)
27 north, Range fifteen (15) west, New Mexico Principal
28 Meridien, together with any and all buildings and the
29 improvements thereon situated. Being the same premises
30 devised to the State of Maine by will of Percival Proctor
31 Baxter, who died testate on June 12, 1969, and whose will is
32 duly probated in the Cumberland County Probate Court, State
33 of Maine and in the District Court, County of Montezuma,
34 State of Colorado; and be it further
35

36 **Sec. 2. Use of proceeds from sale of property. Resolved:** That the
37 proceeds from the sale of the property must be invested as a
38 separate trust fund, known as the Mackworth Island Trust, and
39 managed by the Treasurer of State in accordance with the Maine
40 Revised Statutes, Title 5, section 138. The Bureau of Parks and
41 Lands may establish a nonlapsing account to receive income from
42 the Mackworth Island Trust. The bureau may use the income to
43 manage public recreational activities and related resources on
44 land under the bureau's care on Mackworth Island in Falmouth,
45 Maine. If the net income at any time is insufficient to meet the
46 bureau's recreation or resource management expenses on Mackworth
47 Island, the trust's principal may be used; and be it further
48

2 The 2nd transaction involves an exchange of the State's
3 interest in land and other consideration for lands now owned by
4 Huber Resources Corporation. The exchange will allow the Bureau
5 of Parks and Lands to convey common and undivided interest in
6 approximately 3,058 acres in 3 townships in northern Maine and
7 acquire approximately 2,491 acres. Of the 2,491 acres to be
8 acquired by the State, 2,474 acres are adjacent to the Bigelow
9 Preserve, an existing Public Reserved Lands Unit. The land
10 exchange will enable the bureau to enhance protection of Bigelow
Preserve and conduct multiple use management activities.