

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 763

S.P. 270

In Senate, January 28, 1999

**Resolve, Authorizing the Director of the Bureau of Parks and Land to
Convey a Well and Waterline Easement.**

Submitted by the Department of Conservation pursuant to Joint Rule 204.
Reference to the Committee on Agriculture, Conservation and Forestry suggested and
ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator PARADIS of Aroostook.
Cosponsored by Representative DESMOND of Mapleton and
Senator KIEFFER of Aroostook.

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

6 **Sec. 1. Authority to convey easement. Resolved:** That, under the
7 Maine Revised Statutes, Title 5, section 6209, subsection 6 and
8 Title 12, section 598-A, the Director of the Bureau of Parks and
9 Lands within the Department of Conservation is authorized to
10 convey a well and waterline easement from an abandoned railroad
11 right-of-way in New Sweden acquired with funds from the Land for
12 Maine's Future Fund and managed as a public, multiple-use trail.
13 The purpose of easement is limited to providing potable water to
14 a residence currently owned and occupied by Charlene Espling.

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SUMMARY

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19 This resolve allows the Department of Environmental
20 Protection to develop a potable water supply for the Charlene
21 Espling residence in New Sweden. The well now serving the
22 residence is contaminated. The department has determined that a
23 location on a nearby parcel of state-owned land is the most
24 advantageous location for a replacement well. The land was
25 acquired with funds from the Land for Maine's Future Fund and,
26 under the Maine Revised Statutes, Title 5, section 6209,
27 subsection 6 and the Constitution of Maine, Article IX, section
28 23, cannot be used for this purpose unless approved by a 2/3
majority of the Legislature.