

MAINE STATE LEGISLATURE

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L.D. 1974

DATE: May 5, 1999

(Filing No. S- 210)

AGRICULTURE, CONSERVATION AND FORESTRY

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**STATE OF MAINE
SENATE
119TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT " A " to S.P. 699, L.D. 1974, "Resolve, to Transfer a Parcel of State Land to the Town of Carrabassett Valley"

Amend the resolve by striking out all of section 2 and inserting in its place the following:

'Sec. 2. Land to be conveyed. Resolved: That the land to be conveyed consists of 1,203 acres, more or less, of public reserved land, being a portion of the land as was reserved by the State for public purposes in a deed to William Bingham dated January 28, 1793, and recorded at the State Archives in Volume 6, pages 37 to 41 (Massachusetts deed); and be it further'

Further amend the resolve by striking out all of section 4 and 5 and inserting in their place the following:

'Sec. 4. Deed and restrictions. Resolved: That the property must be conveyed by quit claim deed without covenants, subject to the following deed restrictions: The Town of Carrabassett Valley shall in perpetuity retain title to the property and may not sell or otherwise transfer any interest, in whole or in part, in the property except that the Town of Carrabassett Valley may lease portions of the property as long as the uses are consistent with the uses specified in this resolve. The property must remain open and available for use and enjoyment by the public at large. Use of the property must be dedicated for purposes of public outdoor recreation, including, but not limited to: natural history study; hiking; camping, other than in motor

2 vehicles; cross-country skiing; hunting; fishing; fisheries and
wildlife management; skating; timber management and harvesting
4 under a management plan prepared by a licensed professional
forester; and attendant roads and parking. The property must be
6 maintained in an essentially natural and undeveloped condition,
except that up to 25 contiguous acres in the aggregate, including
8 any development in existence on the effective date of this
resolve, may be developed for any public outdoor recreation
10 facility used for the purposes provided in this section that is
sponsored by the municipality. The following uses are expressly
12 prohibited: residential development of any type; development for
overnight accommodations, except camping; development for any
14 type of commercial service center, shops, restaurants or other
commercial development; or development for any purpose that will
16 change the natural character of the area, except that those uses
presently made of the Outdoor and Touring Center located on the
18 property may continue. If the Town of Carrabassett Valley fails
to comply with any of the conditions or restrictions, in whole or
20 in part, contained in this resolve, the State may give written
notice to the Town of Carrabassett Valley, and if the Town of
22 Carrabassett Valley fails to comply within 30 days, then the
title to the property reverts to the State; such a reversion may
24 not be effective until the State records a notice of the
reversion in the Franklin County Registry of Deeds.'

26 Further amend the resolve in section 6 in the 2nd line (page
2, line 24 in L.D.) by striking out the following: "without
28 limitation" and inserting in its place the following: ', but not
limited to'

30 Further amend the resolve by relettering or renumbering any
32 nonconsecutive Part letter or section number to read
consecutively.

34 Further amend the resolve by inserting at the end before the
36 summary the following:

38 **FISCAL NOTE**

40 **1999-00**

42 **REVENUES**

44 Other Funds \$433,000

46 The sale of a certain parcel of public reserved land will
48 generate \$433,000 in additional dedicated revenue to the Bureau
of Parks and Lands within the Department of Conservation in

2 fiscal year 1999-00. At some point in the future, these funds
4 must be used by the department to purchase additional property in
6 the same county as the property being sold.'

6 SUMMARY

8 The amendment changes the acreage of the transfer and
10 removes language relating to a previously transferred parcel. It
12 also allows the Town of Carrabassett Valley to lease portions of
14 the property for uses consistent with the uses specified in the
16 resolve. It adds to those uses hunting and timber management. The
amount of land that the Town of Carrabassett Valley can develop
under the terms of the deed has been increased to 25 acres.

The amendment also adds a fiscal note to the resolve.