

MAINE STATE LEGISLATURE

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R. of S.

Report A

L.D. 493

Date: 5/15/2013

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AGRICULTURE, CONSERVATION AND FORESTRY

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STATE OF MAINE

SENATE

126TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 186, L.D. 493, Bill, "An Act To Provide Economic Development in Aroostook County through Expanded Sale and Lease of State-owned Land"

Amend the bill by striking out the title and substituting the following:

'Resolve, Directing the Department of Agriculture, Conservation and Forestry To Convey Certain Lands to Roosevelt Conference Center Doing Business as Eagle Lake Sporting Camps'

Amend the bill by striking out everything after the title and inserting the following:

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

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

Whereas, the Director of the Division of Parks and Public Lands within the Department of Agriculture, Conservation and Forestry may sell or exchange lands with the approval of the Legislature in accordance with Title 12, sections 1837 and 1851; and

Whereas, Aroostook County has experienced significant economic reductions over the last 20 years, with a 10.1% unemployment rate, aging workforce and declining population; and

Whereas, an existing business, Eagle Lake Sporting Camps, established in 1889 and located on Eagle Lake Public Reserve Lands east of Route 11, desires to invest significantly in its business to grow into a year-round operation and to upgrade facilities and improve amenities, thus stimulating the economy, creating jobs and increasing local and state tax revenues; and

Whereas, such investment would not be feasible or commitment made without the acquisition of fee simple ownership of sufficient land to develop and expand the business

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1 and without the lease of additional adjoining land to support a modern wilderness
2 destination resort; and

3 **Whereas**, the subject land is now used as a developed commercial sporting camp
4 property, and no vital conservation land or wildlife habitat nor outdoor recreation
5 opportunities, such as hunting and fishing, are affected by the change in land ownership,
6 and the investment permitted by this conveyance would increase access and opportunities
7 for public use of the Eagle Lake Public Reserve Lands; now, therefore, be it

8 **Sec. 1. Director of the Division of Parks and Public Lands to convey**
9 **certain land in T16 R6. Resolved:** That the Director of the Division of Parks and
10 Public Lands within the Department of Agriculture, Conservation and Forestry, referred
11 to in this resolve as "the director," shall convey, by quitclaim deed without covenant and
12 at appraised fair market value agreed to jointly by the director and the purchaser, to
13 Roosevelt Conference Center, doing business as Eagle Lake Sporting Camps, and its
14 successors and assigns, the land described in the lease of land in Township 16, Range 6
15 current as of the effective date of this resolve from the State to Roosevelt Conference
16 Center, doing business as Eagle Lake Sporting Camps, and such additional contiguous
17 land as agreed to by the director and the purchaser to the east of the leased land for a total
18 of 10 acres, subject to the State's retaining or withholding any rights to subdivide the land
19 conveyed. In addition, the director shall convey to Eagle Lake Sporting Camps, for the
20 appraised fair market value agreed jointly by the director and the purchaser, an access
21 right-of-way that is no greater than 66 feet wide along the service road to the Square Lake
22 Road. The conveyance of the right-of-way must include conditions that allow Eagle Lake
23 Sporting Camps to maintain the road and make road improvements after acquiring prior
24 written approval from the State. The conveyances required by this section must contain
25 conditions granting the State the right of first refusal, within 90 days following notice by
26 Eagle Lake Sporting Camps of intent to transfer the land or the right-of-way, to reacquire
27 the parcel and the right-of-way at the appraised fair market value agreed to jointly by the
28 director and the purchaser, if the use of the land for a year-round sporting camp or Class
29 A restaurant, as defined in the Maine Revised Statutes, Title 28-A, section 2, subsection
30 15, and lodge open to the public is discontinued or if Eagle Lake Sporting Camps fails to
31 maintain appropriate licenses to conduct those activities from the Department of Health
32 and Human Services.

33 If the director intends to lease any land to Eagle Lake Sporting Camps other than that
34 required by this resolve, the director shall provide an opportunity for and consider
35 comments regarding public access to the Eagle Lake Public Reserve Lands from
36 representatives authorized by the Town of Eagle Lake.'

37 **SUMMARY**

38 This amendment is the majority report. It replaces the bill with a resolve and changes
39 the title. The resolve requires the Director of the Division of Parks and Public Lands
40 within the Department of Agriculture, Conservation and Forestry to convey to Roosevelt
41 Conference Center, doing business as Eagle Lake Sporting Camps, a 10-acre parcel of
42 land in Township 16, Range 6. The resolve requires the director to sell the land at fair
43 market value and to retain or withhold any rights to subdivide. The director is also
44 required by the resolve to convey to Eagle Lake Sporting Camps a right-of-way along the

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1 service road to the Square Lake Road for appraised fair market value. The resolve also
2 stipulates that the State must retain a right of first refusal to reacquire the parcel and right-
3 of-way from the owner if the use of the parcel for a year-round sporting camp or Class A
4 restaurant and lodge is discontinued or appropriate licenses are not maintained.

5

FISCAL NOTE REQUIRED

6

(See attached)



126th MAINE LEGISLATURE

LD 493

LR 1487(02)

An Act To Provide Economic Development in Aroostook County through Expanded Sale and Lease of State-owned Land

Fiscal Note for Bill as Amended by Committee Amendment

Committee: Agriculture, Conservation and Forestry

Fiscal Note Required: Yes

A(5-86)

Fiscal Note

Current biennium revenue increase - Other Special Revenue Funds

Fiscal Detail and Notes

This legislation directs the Department of Agriculture, Conservation and Forestry to convey certain lands and would result in an increase in Other Special Revenue Funds to the Public Reserved Lands Acquisition Fund. The amount of revenue received will not be known until an appraisal is completed.