

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1126

H.P. 789

House of Representatives, March 23, 2017

**An Act To Support Tourism on Public Reserved Lands by Leasing
Sites to Commercial Sporting Camps**

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative BLACK of Wilton.
Cosponsored by Senator DAVIS of Piscataquis and
Representatives: DUCHESNE of Hudson, HILLIARD of Belgrade, MARTIN of Sinclair,
TIMBERLAKE of Turner, WOOD of Greene, Senators: CARPENTER of Aroostook,
JACKSON of Aroostook, MASON of Androscoggin.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 12 MRSA §1852, sub-§5**, as amended by PL 2005, c. 462, Pt. C, §1 and
3 affected by §2, is further amended to read:

4 **5. Lease of public reserved land for private uses.** The director may lease
5 campsites, observation stands, shelters, garages, depots, warehouses and other structures
6 located on public reserved land, or sites for the same, for a term not exceeding 5 years
7 and also:

8 A. May grant options to renew such leases for a further term not to exceed 15 years
9 in the case of a commercial use that in the judgment of the director requires the
10 option to secure adequate financing for the maintenance or improvement of facilities
11 located on public reserved land;

12 B. In the case of leases acquired by the State on lands exchanged for public reserved
13 lands, shall authorize, upon reasonable terms and conditions, the transfer of leasehold
14 interests from one lessee of a residential campsite to another; ~~and~~

15 C. With respect to persons with residential leasehold interests in public reserved
16 lands on October 1, 1975 or on lands exchanged for public reserved lands or on lands
17 acquired with Land for Maine's Future Board funds with respect to residential and
18 camp owner leases in existence on or before November 30, 2005, shall enter into new
19 leasehold agreements with those persons and thereafter renew those leases from time
20 to time on reasonable terms and conditions as long as the lessee complies with the
21 terms and conditions of the leases and with all applicable laws and rules of the State;
22 and

23 D. On the request of an owner of a commercial sporting camp, as defined in section
24 682, subsection 14, that is located on or adjacent to public reserved land, the director
25 shall lease and may renew leases on sites located on the public reserved land for
26 observation stands or shelters and shall convey an appropriate trail easement up to
27 one mile in length, including any renewal, commensurate with the site lease or
28 renewal as follows:

29 (1) The number of such site leases may not exceed the number of lodging rooms
30 in the commercial sporting camp; and

31 (2) The location of each leased site and trail easement must be as requested by
32 the owner of the commercial sporting camp unless the director determines the
33 location to be inconsistent with other uses of the public reserved land or with
34 applicable laws or rules.

35 The annual fee for camp leases under this subsection may not exceed 10% of the fair
36 market value of the land, as determined once during each 5-year lease term by the State
37 Tax Assessor. Notwithstanding this subsection, there must be a minimum annual camp
38 lease fee of \$150 and a minimum annual commercial sporting camp observation stand or
39 shelter lease fee of \$100.

1

SUMMARY

2 This bill provides that the Director of the Bureau of Parks and Lands within the
3 Department of Agriculture, Conservation and Forestry may lease observation stands and
4 shelters and convey trail easements on public lands for private use, in addition to
5 campsites, garages and other structures that currently may be leased. It provides that the
6 director must lease up to one observation stand or shelter and convey up to a mile of trail
7 easement for each lodging room at a commercial sporting camp. It specifies that the site
8 location and trail easement must be as requested by the commercial sporting camp owner
9 unless the director determines the location is inconsistent with other uses of the public
10 reserved land or with applicable laws or rules. It provides for a minimum annual
11 commercial sporting camp observation stand or shelter lease fee of \$100.