

# MAINE STATE LEGISLATURE

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# **128th MAINE LEGISLATURE**

## **FIRST SPECIAL SESSION-2017**

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**Legislative Document**

**No. 1647**

S.P. 604

In Senate, October 16, 2017

**Resolve, Authorizing Certain Land Transactions by the Bureau of  
Parks and Lands within the Department of Agriculture,  
Conservation and Forestry**

(EMERGENCY)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on October 12, 2017. Referred to the Committee on Agriculture, Conservation and Forestry pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in cursive script, reading 'Heather J.R. Priest'.

**HEATHER J.R. PRIEST**  
Secretary of the Senate

Presented by Senator JACKSON of Aroostook.  
Cosponsored by Representative MARTIN of Sinclair and  
Representative: WHITE of Washburn.

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

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

7 **Whereas,** the Director of the Bureau of Parks and Lands within the Department of  
8 Agriculture, Conservation and Forestry may sell or exchange lands with the approval of  
9 the Legislature in accordance with the Maine Revised Statutes, Title 12, sections 1837  
10 and 1851; and

11 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not  
12 become effective until 90 days after adjournment unless enacted as emergencies; and

13 **Whereas,** this legislation is important to the immediate and long-term economic  
14 health of the Town of Washburn and of Aroostook County; and

15 **Whereas,** this legislation is important to the safety of the public that uses the  
16 multipurpose trail system in the Town of Washburn and to the safety of the public that  
17 uses the roadways near that trail system; and

18 **Whereas,** in the judgment of the Legislature, these facts create an emergency within  
19 the meaning of the Constitution of Maine and require the following legislation as  
20 immediately necessary for the preservation of the public peace, health and safety; now,  
21 therefore, be it

22 **Sec. 1. Director of the Bureau of Parks and Lands authorized, but not**  
23 **directed, to exchange certain land in the Town of Washburn, Aroostook**  
24 **County. Resolved:** That the Director of the Bureau of Parks and Lands within the  
25 Department of Agriculture, Conservation and Forestry may by quitclaim deed convey to  
26 the Town of Washburn the property southwest of the intersection of Main Street, Route  
27 164, and Gardiner Creek Road constituting a segment of the Aroostook Valley Trail from  
28 where it joins the Bangor and Aroostook Trail, both being state-owned trails used for  
29 motorized recreation, in exchange for conveyance of the property west and north of the  
30 intersection of Main Street, Route 164, and Riverside Drive, now owned by the Town of  
31 Washburn, constituting a new stretch of trail corridor 60 feet wide, on which the Town of  
32 Washburn must have built a new trail making a connection between the 2 trails according  
33 to specifications provided by the Bureau of Parks and Lands prior to this conveyance.

34 **Emergency clause.** In view of the emergency cited in the preamble, this  
35 legislation takes effect when approved.

36 **SUMMARY**

37 This resolve authorizes the Department of Agriculture, Conservation and Forestry,  
38 Bureau of Parks and Lands to exchange land along Main Street, Route 164, in the Town

1 of Washburn for a nearby piece of land in order to improve the safety of recreational  
2 travel on certain state-owned trails used for motorized recreation and allow the town to  
3 sell a parcel of land it owns to a national business for development.