

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Date: 3/26/2018

(Filing No. S- 416)

AGRICULTURE, CONSERVATION AND FORESTRY

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

128TH LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 668, L.D. 1789, Bill, "An Act Authorizing Changes to the Ownership and Leases of Certain Public Lands"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

Sec. 1. 12 MRSA §1839, sub-§1, ¶E, as amended by PL 1999, c. 592, §4; PL 2011, c. 657, Pt. W, §7; and PL 2013, c. 405, Pt. A, §24, is further amended to read:

E. A description of the proposed budget, including allocations for the bureau's dedicated funds and any revenues of the bureau from permits, leases, fees and sales, for the following fiscal year beginning on July 1st; and

Sec. 2. 12 MRSA §1839, sub-§1, ¶F, as enacted by PL 1999, c. 592, §5, is amended to read:

F. The status of ecological reserves including the acreage of nonreserved public land designated as ecological reserves, results of monitoring, scientific research and other activities related to ecological reserves; and

Sec. 3. 12 MRSA §1839, sub-§1, ¶G is enacted to read:

G. The amount of funds in the public nonreserved lands acquisition fund within the bureau for each county.

Sec. 4. 12 MRSA §1853, sub-§1, ¶H, as enacted by PL 2017, c. 289, §7, is amended to read:

H. A breakdown of growth based on the most recent physical forest inventory and of harvest in each region of any public reserved lands units established by the bureau, identifying any harvesting that occurred during the preceding fiscal year in individual management units where harvest exceeds annual growth; and

Sec. 5. 12 MRSA §1853, sub-§1, ¶I, as enacted by PL 2017, c. 289, §8, is amended to read:

COMMITTEE AMENDMENT

P. of S.

1 I. An update on capital plans for road construction and road maintenance, including a
2 list and description of roads built and roads maintained in the preceding fiscal year
3 and a list and description of roads to be built and roads to be maintained in the
4 succeeding fiscal year; and

5 **Sec. 6. 12 MRSA §1853, sub-§1, ¶J** is enacted to read:

6 J. The amount of funds in the Public Reserved Lands Acquisition Fund, established
7 in section 1850, subsection 2, for each county.

8 **Sec. 7. Director of Bureau of Parks and Lands authorized to amend lease**
9 **at Long Falls Dam Road to allow lessee to sublease a portion of the parcel for**
10 **recreational purposes.** The Director of the Bureau of Parks and Lands within the
11 Department of Agriculture, Conservation and Forestry is authorized to amend the lease of
12 the land consisting of public lots that form part of the dam and reservoir known as
13 Flagstaff Lake, land that is currently leased by Brookfield Renewable Partners and that
14 was previously leased pursuant to Private and Special Law 1927, chapter 113, section 13,
15 to allow the lessee to sublease a portion of the parcel for the purpose of a parking area for
16 the Maine Huts and Trails system.

17 **Sec. 8. Director of Bureau of Parks and Lands authorized, but not**
18 **directed, to convey certain lands in Adamstown Township, Oxford County.**
19 The Director of the Bureau of Parks and Lands within the Department of Agriculture,
20 Conservation and Forestry may by quitclaim deed without covenant convey to a buyer for
21 appraised fair market value and other compensation and on such other terms and
22 conditions as the director may direct a certain parcel of land in Adamstown Township,
23 described as Parcel 0008W as depicted on the Richardson Pond cottage lots plan
24 developed by Seven Islands Land Company on the southwest side of West Richardson
25 Pond, comprising approximately 3.54 acres and a camp, which was previously a camp lot
26 lease and which was surrendered by the leaseholder to the Bureau of Parks and Lands by
27 written agreement. The sale of the lot constitutes a revocation of its designation as public
28 reserved lands under the Maine Revised Statutes, Title 12, section 598-A.

29 **Sec. 9. Report on funds received pursuant to this Act.** The Director of the
30 Bureau of Parks and Lands within the Department of Agriculture, Conservation and
31 Forestry shall report to the joint standing committee of the Legislature having jurisdiction
32 over agriculture, conservation and forestry matters the amount of funds received pursuant
33 to the transactions authorized by this legislation by each county at the same time as the
34 director submits the bureau's reports pursuant to the Maine Revised Statutes, Title 12,
35 sections 1839 and 1853.

36 **Sec. 10. Resolve 2013, c. 56, §4** is amended to read:

37 **Sec. 4. Director of Bureau of Parks and Lands authorized, but not**
38 **directed, to convey certain lands in Adamstown Township, Oxford County.**
39 **Resolved:** That the Director of the ~~Division~~ Bureau of Parks and ~~Public~~ Public Lands within
40 the Department of Agriculture, Conservation and Forestry may by quitclaim deed without
41 covenant convey for an appraised fair market value that is the higher of 2 appraisals or
42 the highest of more than 2 appraisals and on such other terms and conditions as the
43 director may direct certain lots or parcels of land, with a total of approximately ~~24~~ 26

1 acres, to the ~~West Richardson Pond Public Lot Association~~ individual camp lot lessees.
2 The sale of each lot constitutes a revocation of its designation as public reserved lands
3 under the Maine Revised Statutes, Title 12, section 598-A.

4 The parcels to be conveyed are located on a 24-acre lease lot subdivision portion and
5 a 1.93-acre lease lot located on an island of the Richardson Lake public reserved lands.
6 The 12 lots in the subdivision are on the southwestern shoreline of West Richardson Pond
7 and extend from the Lincoln Plantation and Adamstown Township town line south to
8 Route 16 and are also located between the Richardson Lake public reserved lands access
9 road and the shoreline of West Richardson Pond. The parcels in the subdivision are
10 currently leased to ~~10~~ 9 camp lot lessees who are members of the West Richardson Pond
11 Public Lot Association. To ensure that the State retains public access to West Richardson
12 Pond, the director may not convey ownership of Lot 4-W in the subdivision as depicted
13 on the Richardson Pond cottage lots plan developed by Seven Islands Land Company.
14 The 1.93-acre lease lot is located on an island in West Richardson Pond, located in
15 Adamstown Township, Oxford County, being a portion of the Richardson Lake public
16 reserved lands, Account #178012003, Public Lands L1 LOC R, Map OX008, Plan 3, Lot
17 3, Lease Number 1, Lot ID Loc R.

18 **Sec. 11. Resolve 2015, c. 29, §1** is amended to read:

19 **Sec. 1. Director of Bureau of Parks and Lands authorized, but not**
20 **directed, to convey certain interests in lands in Aroostook County in**
21 **exchange for other interests or properties. Resolved:** That the Director of the
22 Bureau of Parks and Lands within the Department of Agriculture, Conservation and
23 Forestry may by quitclaim deed without covenant, for negotiated value, and on such other
24 terms and conditions as the director may direct, convey or release all interests held by the
25 bureau in the ~~following~~ properties described under subsection 1 to Prentiss and Carlisle
26 Company, Inc. and ~~Prentiss and Carlisle Management Company, McCrillis Timberland,~~
27 LLC and Greentrees, Inc., collectively referred to in this section as "the partitioners," in
28 exchange for conveyance of property or interests in properties ~~or other consideration of~~
29 equivalent value described under subsection 2 from ~~Prentiss and Carlisle Company, Inc.~~
30 ~~and Prentiss and Carlisle Management Company~~ the partitioners.

31 1. The property interests to be conveyed by the Department of Agriculture,
32 Conservation and Forestry, by and through the Bureau of Parks and Lands, to ~~Prentiss~~
33 ~~and Carlisle Company, Inc. and to Prentiss and Carlisle Management Company on behalf~~
34 ~~of other minority interests~~ the partitioners are all of the State's minority common and
35 undivided interest in ~~forested acres without flowage easements in T.10 R.4 SE/4, which is~~
36 ~~approximately 1,329 equivalent acres a tract in T.10 R.4 WELS SE/4, Maine Revenue~~
37 Services Tax Map AR018, Plan 01, Lot 1.2, comprising approximately 3,970 acres of
38 upland and 270 acres of flowed land in Scopan Lake, depicted as Parcel B on the March
39 28, 2017 Survey Plan by Plisga & Day Land Surveyors, the State's undivided interest
40 being approximately equivalent to 1,222 acres.

41 2. The property interests to be conveyed by ~~Prentiss and Carlisle Company, Inc. and~~
42 ~~Prentiss and Carlisle Management Company on behalf of other minority interests~~ the
43 partitioners to the State acting by and through the Department of Agriculture,
44 Conservation and Forestry, Bureau of Parks and Lands are:

P. 2 of 2

1 A. All of ~~Prentiss and Carlisle Company, Inc.'s~~ the partitioners' common and
2 undivided interests in ~~forested acres without flowage easements in T.10 R.4 SE/4~~
3 ~~north of Scopan Lake and all of the remaining minority common and undivided~~
4 ~~interests in forested acres without flowage easements in T.10 R.4 SE/4 north of~~
5 ~~Scopan Lake by and through Prentiss and Carlisle Management Company, which is~~
6 ~~together approximately 16 equivalent acres; the following tracts in T.10 R.4 WELS:~~

7 (1) SE/4 north of Scopan Lake, part of Maine Revenue Services Tax Map
8 AR018, Plan 01, Lot 1.2, comprising approximately 23 acres of upland and 221
9 acres of flowed land in Scopan Lake;

10 (2) SE/4 setoff, part of Maine Revenue Services Tax Map AR018, Plan 01, Lot
11 1.2, comprising approximately 605 acres of upland and 240 acres of flowed land
12 in Scopan Lake, depicted as Parcel A on the March 28, 2017 Survey Plan by
13 Plisga & Day Land Surveyors;

14 (3) NE/4 west of Scopan Lake, Maine Revenue Services Tax Map AR018, Plan
15 01, Lot 2.1, comprising approximately 995 acres, including portions flowed by
16 Scopan Lake; and

17 (4) NE/4 east of Scopan Lake, Maine Revenue Services Tax Map AR018, Plan
18 01, Lot 2, comprising approximately 5,462 acres, including portions flowed by
19 Scopan Lake.

20 The partitioners' undivided interest in the T.10 R.4 WELS tracts described in this
21 paragraph is approximately equivalent to 1,296 acres; and

22 ~~B. All of Prentiss and Carlisle Company, Inc.'s minority common and undivided~~
23 ~~interests in forested acres without flowage easements in T.10 R.4 NE/4 by and~~
24 ~~through Prentiss and Carlisle Management Company, which is approximately 309~~
25 ~~equivalent acres;~~

26 ~~C. All of the minority common and undivided interests in T.11 R.4 E/2 by and~~
27 ~~through Prentiss and Carlisle Management Company, which is together~~
28 ~~approximately 254 equivalent acres; and~~

29 ~~D. All or a portion of Prentiss and Carlisle Company, Inc.'s interests in T.13 R.5,~~
30 ~~T.13 R.13 and T.12 R.13, or other parcels or other consideration from Prentiss and~~
31 ~~Carlisle Company, Inc. as may be needed in combination with the foregoing to be of~~
32 ~~equivalent value, as determined by the director, to the conveyance of the State to~~
33 ~~Prentiss and Carlisle Company, Inc. in T.10 R.4 SE/4 as described in subsection 1;~~
34 ~~and be it further~~

35 E. Two parcels in T.13 R.5 WELS, Maine Revenue Services Tax Maps AR027, Plan
36 01, Lot 1.1 and AR027, Plan 01, Lot 1.2, owned solely by Prentiss and Carlisle
37 Company, Inc. and McCrillis Timberland, LLC and totaling approximately 192 acres;
38 and be it further'

39 **SUMMARY**

40 This amendment, which is the majority report of the committee and which replaces
41 the bill, authorizes the Director of the Bureau of Parks and Lands within the Department
42 of Agriculture, Conservation and Forestry to allow the lessee of land at Long Falls Dam

COMMITTEE AMENDMENT

P. O. S.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

Road to sublease a portion of the parcel to the Maine Huts and Trails system for a parking area. The amendment amends Resolve 2013, chapter 56, authorizing the sale of lease lots in Richardson Lake public reserved lands to the individual lessees, to authorize the director to sell an additional parcel of public reserved lands on a small island in West Richardson Pond, provides a description of the parcel and corrects the number of lessees as described in chapter 56. The amendment amends Resolve 2015, chapter 29, which authorizes the director to partition and consolidate common and undivided interests in lands in Township 10, Range 4 WELS and Township 13, Range 5 WELS, to remove language added in the bill allowing the director to reconfigure tracts and language referencing reconfigurations of parcels to be conveyed and allowing the director to acquire interests managed by Prentiss and Carlisle Management Company in Township 11, Range 4 WELS E/2. The amendment requires the bureau to report to the joint standing committee of the Legislature having jurisdiction over nonreserved public lands and public reserved lands matters on the amount of funds in the public nonreserved lands acquisition fund and the Public Reserved Lands Acquisition Fund by county including the funds received pursuant to transactions authorized by this legislation.

FISCAL NOTE REQUIRED

(See attached)



128th MAINE LEGISLATURE

LD 1789

LR 2738(02)

An Act Authorizing Changes to the Ownership and Leases of Certain Public Lands

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-416)
Committee: Agriculture, Conservation and Forestry

Fiscal Note Required: Yes

Fiscal Note

Certain property transactions authorized
Potential current biennium revenue increase - Other Special Revenue Funds

Fiscal Detail and Notes

This bill would authorize the Department of Agriculture, Conservation and Forestry (ACF) to amend a property lease at Long Falls Dam Road to allow a sublease for recreational purposes and the sale of certain state-owned lands located in Oxford and Aroostook Counties. The bill does not specify the financial terms of the authorized transaction, but does include a provision that any proceeds from sales be reported back to the Committee on Agriculture, Conservation and Forestry. The bill also directs ACF to amend the annual reports on the Public Nonreserved Lands Acquisition Fund and the Public Reserved Lands Acquisition Fund to report the amount of funds in each by county.