

MAINE STATE LEGISLATURE

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L D 1219

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Date 5/22/23

(Filing No S- 120)

MINORITY

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AGRICULTURE, CONSERVATION AND FORESTRY

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

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STATE OF MAINE

6

SENATE

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131ST LEGISLATURE

8

FIRST SPECIAL SESSION

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COMMITTEE AMENDMENT "A" to S P 500, L D 1219, "An Act to Establish Rights for Holders of Certain Leases and Easements on Land Managed by the Bureau of Parks and Lands"

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

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'Sec. 1. 12 MRSA §1838, sub-§5, as enacted by PL 1997, c 678, §13, is amended to read

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5. Lease of nonreserved public land for private uses. The director may lease campsites, garages, depots, warehouses and other structures located on nonreserved public land, or sites for the same, for a term not exceeding 5 years, and also

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A May grant options to renew such leases for a further term not to exceed 15 years in the case of a commercial use that in the judgment of the director requires the option to secure adequate financing for the maintenance or improvement of facilities located on public nonreserved public land, and

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B In the case of leases acquired by the State on nonreserved public land, shall authorize, upon reasonable terms and conditions, the transfer of leasehold interests from one lessee of a residential campsite to another,

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C May not restrict a lessee in making improvements to the lessee's leasehold property as long as those improvements comply with applicable requirements of the Maine Land Use Planning Commission under chapter 206-A, shoreland zoning under Title 38, chapter 3, subchapter 1, article 2-B and any applicable municipal zoning ordinance, and

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D Shall permit a lessee to maintain and repair a road or right-of-way on nonreserved public land necessary to access the lessee's leasehold property consistent with applicable requirements of the Maine Land Use Planning Commission under chapter 206-A, shoreland zoning under Title 38, chapter 3, subchapter 1, article 2-B and any applicable municipal zoning ordinance For a reasonable fee, the director shall allow a lessee to obtain gravel for the purpose of maintaining or repairing a road or right-of-

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COMMITTEE AMENDMENT

1 way as authorized by this paragraph from gravel pits owned by the bureau that are near
2 the lessee's leasehold property

3 **Sec. 2. 12 MRSA §1852, sub-§5, ¶B**, as enacted by PL 1997, c 678, §13, is
4 amended to read

5 B In the case of leases acquired by the State on lands exchanged for public reserved
6 lands, shall authorize, upon reasonable terms and conditions, the transfer of leasehold
7 interests from one lessee of a residential campsite to another, and

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

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

17 **Sec. 4. 12 MRSA §1852, sub-§5, ¶D** is enacted to read

18 D May not restrict a lessee in making improvements to the lessee's leasehold property
19 as long as those improvements comply with applicable requirements of the Maine Land
20 Use Planning Commission under chapter 206-A, shoreland zoning under Title 38,
21 chapter 3, subchapter 1, article 2-B and any applicable municipal zoning ordinance,
22 and

23 **Sec. 5. 12 MRSA §1852, sub-§5, ¶E** is enacted to read

24 E Shall permit a lessee to maintain and repair a road or right-of-way on public reserved
25 lands necessary to access the lessee's leasehold property consistent with applicable
26 requirements of the Maine Land Use Planning Commission under chapter 206-A,
27 shoreland zoning under Title 38, chapter 3, subchapter 1, article 2-B and any applicable
28 municipal zoning ordinance For a reasonable fee, the director shall allow a lessee to
29 obtain gravel for the purpose of maintaining or repairing a road or right-of-way as
30 authorized by this paragraph from gravel pits owned by the bureau that are near the
31 lessee's leasehold property

32 **Sec. 6. Appropriations and allocations.** The following appropriations and
33 allocations are made

34 **AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**
35 **DACF Administration 0401**

36 Initiative Provides funding for technology management costs associated with positions

37	OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
38	All Other	\$3,873	\$3,874
39			
40	OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,873	\$3,874

41 **Land Management and Planning Z239**

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COMMITTEE AMENDMENT "A" to S P 500, L D 1219 (S-120)

1 access the property from gravel pits owned by the bureau that are near the lessee's leasehold
2 property

FISCAL NOTE REQUIRED

(See attached)

COMMITTEE AMENDMENT



131st MAINE LEGISLATURE

LD 1219

LR 1098(02)

An Act to Establish Rights for Holders of Certain Leases and Easements on Land Managed by the Bureau of Parks and Lands

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-120)
 Committee: Agriculture, Conservation and Forestry
 Fiscal Note Required: Yes

Fiscal Note

	FY 2023-24	FY 2024-25	Projections FY 2025-26	Projections FY 2026-27
Appropriations/Allocations				
Other Special Revenue Funds	\$124,689	\$130,219	\$135,520	\$141,086

Fiscal Detail and Notes

This bill includes Other Special Revenue Funds allocations of \$118,689 beginning in fiscal year 2023-24 for one Planning and Research Associate II position and related costs to review plans and compliance for increased construction requests related to leased lands and \$6,000 for contracted services to inspect roadways for maintenance and compliance issues. Provisions allowing lessees to purchase gravel from the department to improve access roads to a leased property will result in Other Special Revenue Funds revenue. Any revenue generated is not anticipated to be significant.