



131st MAINE LEGISLATURE

FIRST SPECIAL SESSION-2023

Legislative Document

No. 1659

S.P. 664

In Senate, April 13, 2023

**Resolve, Authorizing the Department of Agriculture, Conservation
and Forestry, Bureau of Parks and Lands to Enter into Certain
Leases**

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BLACK of Franklin.

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

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

6 **Whereas,** the Director of the Bureau of Parks and Lands within the Department of
7 Agriculture, Conservation and Forestry may lease public reserved lands and state park
8 lands for utilities in accordance with Title 12, section 1814 and section 1852, subsection 4,
9 respectively; and

10 **Whereas,** the Bureau of Parks and Lands previously issued leases for electric power
11 and telecommunications pursuant to these laws, and those leases have expired or will soon
12 expire; and

13 **Whereas,** Title 12, section 1852, subsection 4 provides that poles and electric power
14 transmission and telecommunications lines and facilities are deemed to substantially alter
15 public reserved lands and any 25-year lease of public reserved lands for such uses requires
16 2/3 approval of all members elected to each House; and

17 **Whereas,** the Bureau of Parks and Lands has begun drafting, but not yet provisionally
18 adopted, the major substantive rules required by Title 12, section 598-C, pursuant to which
19 the Bureau of Parks and Lands will establish a public administrative process for
20 determining whether a proposed activity on designated lands under the jurisdiction of the
21 bureau would cause the land to be reduced or its uses substantially altered; now, therefore,
22 be it

23 **Sec. 1. Director of the Bureau of Parks and Lands is authorized, but not**
24 **directed, to lease certain land within Dyer Township, Washington County.**

25 **Resolved:** That the Director of the Bureau of Parks and Lands within the Department of
26 Agriculture, Conservation and Forestry may lease to Greg Tantimonico and Ronald Wright,
27 on such terms and conditions as the director may direct, certain land within the St. Croix
28 Waterway in Dyer Township, T.1, R.2, T.S., Washington County. This land is designated
29 as state park land, and the lease is for an existing aboveground electric line for camp lots.
30 The lease area occupies approximately 0.5 acres, and the original lease was signed by the
31 bureau in 2018 and expires on June 30, 2023.

32 **Sec. 2. Director of the Bureau of Parks and Lands is authorized, but not**
33 **directed, to lease certain land within the Town of Sullivan, Hancock County.**

34 **Resolved:** That the Director of the Bureau of Parks and Lands within the Department of
35 Agriculture, Conservation and Forestry may lease to Versant Power, formerly Bangor
36 Hydro Electric, on such terms and conditions as the director may direct, certain land within
37 Donnell Pond Public Reserved Lands in the Town of Sullivan, Hancock County. The lease
38 is for an existing 30-foot-wide utility corridor and occupies approximately 0.6 acres. The
39 original lease was signed by the bureau in 1997 and expired on April 1, 2022.

40 **Sec. 3. Director of the Bureau of Parks and Lands is authorized, but not**
41 **directed, to lease certain land within Township 21, Washington County.**

42 **Resolved:** That the Director of the Bureau of Parks and Lands within the Department of
43 Agriculture, Conservation and Forestry may lease to M&N Operating Co., L.L.C., on such

1 terms and conditions as the director may direct, certain land on the Township 21 public
2 reserved lands within Washington County. The lease is for an existing natural gas pipeline
3 and occupies approximately 5.5 acres. The original lease was signed by the bureau in 1999
4 and expires on January 31, 2024.

5 **Sec. 4. Director of the Bureau of Parks and Lands is authorized, but not**
6 **directed, to lease certain land within Upper Enchanted Township, Somerset**
7 **County. Resolved:** That the Director of the Bureau of Parks and Lands within the
8 Department of Agriculture, Conservation and Forestry may lease to the Department of
9 Administrative and Financial Services, Office of Information Technology, on such terms
10 and conditions as the director may direct, certain land, formerly leased to the Department
11 of Transportation, on the Coburn Mountain public reserved lands within Upper Enchanted
12 Township, Somerset County. The lease is for existing radio telecommunications facilities
13 and occupies approximately 0.4 acres. The original lease was signed by the bureau in 1999
14 and expires on June 10, 2024.

15 SUMMARY

16 This resolve authorizes the Director of the Bureau of Parks and Lands within the
17 Department of Agriculture, Conservation and Forestry to lease certain state park land and
18 public reserved lands.