



130th MAINE LEGISLATURE

SECOND REGULAR SESSION-2022

Legislative Document

No. 1756

H.P. 1307

House of Representatives, December 2, 2021

**Resolve, Authorizing the Department of Agriculture, Conservation
and Forestry To Convey Certain Land in Aroostook County and
Penobscot County**

Submitted by the Department of Agriculture, Conservation and Forestry pursuant to Joint Rule 203.

Received by the Clerk of the House on November 30, 2021. Referred to the Committee on Agriculture, Conservation and Forestry pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

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

ROBERT B. HUNT
Clerk

Presented by Representative MARTIN of Eagle Lake.
Cosponsored by Representative: SKOLFIELD of Weld.

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 conveyance by this resolve is under the
5 designations described in the Maine Revised Statutes, Title 12, section 598-A; and

6 **Whereas,** the Department of Agriculture, Conservation and Forestry, Bureau of Parks
7 and Lands may sell, lease or exchange lands with the approval of the Legislature in
8 accordance with Title 12, sections 1814, 1837 and 1851; and

9 **Whereas,** the Department of Agriculture, Conservation and Forestry, Bureau of Parks
10 and Lands holds an approximately 23.83% common and undivided interest in an
11 approximately 20,222.5-acre parcel of land in T. 12, R. 13 in Aroostook County, which
12 constitutes approximately 4,819 acres of state ownership, a minority of the parcel; and

13 **Whereas,** the Department of Agriculture, Conservation and Forestry, Bureau of Parks
14 and Lands holds a common and undivided interest in 2 adjacent sections totaling an
15 approximately 2,043-acre parcel of land in T. 4, R. 8 in Penobscot County, which
16 constitutes approximately 1,624 acres of state ownership, a majority of both sections; and

17 **Whereas,** due to lack of management control in T. 12, R. 13 and lack of good public
18 access in T. 4, R. 8, it will benefit the people of Maine to sell interest in the 2 parcels for
19 cash to purchase alternative lands within Aroostook County and Penobscot County,
20 respectively, which can be managed for public benefits such as recreational access, wildlife
21 habitat and sustainable timber harvest; and

22 **Whereas,** the Department of Agriculture, Conservation and Forestry, Bureau of Parks
23 and Lands requests legislative approval to negotiate the sale of lands in a timely fashion
24 with willing buyers; now, therefore, be it

25 **Sec. 1. Director of Bureau of Parks and Lands authorized, but not directed,**
26 **to convey interest in certain land in T. 12, R. 13 in Aroostook County.**

27 **Resolved:** That the Director of the Bureau of Parks and Lands within the Department of
28 Agriculture, Conservation and Forestry may, by quitclaim deed without covenant for
29 appraised fair market value as determined by an independent assessment of the timber and
30 other values, convey interest in a parcel of land totaling approximately 4,819 acres based
31 on an approximate 23.83% share held in common and undivided interest of the
32 approximately 20,222.5-acre parcel in T. 12, R. 13 in Aroostook County, together with all
33 appurtenant rights and easements located on that property, to any willing buyer including
34 the holder of the majority interest.

35 **Sec. 2. Director of Bureau of Parks and Lands authorized, but not directed,**
36 **to convey interest in certain land in T. 4, R. 8 in Penobscot County. Resolved:**

37 That the Director of the Bureau of Parks and Lands within the Department of Agriculture,
38 Conservation and Forestry may, by quitclaim deed without covenant, convey in accordance
39 with this section interest in a parcel of land totaling approximately 2,043 acres based on
40 shares held in common and undivided interest in T. 4, R. 8 in Penobscot County, the total
41 being held in 2 sections, with the first constituting an approximate amount of 1,868 acres
42 based on an approximate 79% share and the 2nd based on an approximate 85% share of an
43 approximate 175-acre parcel, together with all appurtenant rights and easements located on

1 that property. The director may partition the parcels prior to conveyance. The director may
2 convey interest in the parcels for appraised fair market value as determined by an
3 independent assessment of the timber and other values to any holder of common and
4 undivided interest in either section of land or to a 3rd-party intermediary that is required to
5 immediately convey the property to Baxter State Park. The director may convey interest in
6 the parcels to Baxter State Park for an amount determined by the director and the park to
7 be in the public interest.

8 **SUMMARY**

9 This resolve authorizes the Director of the Bureau of Parks and Lands within the
10 Department of Agriculture, Conservation and Forestry to sell interest in specific parcels of
11 land held in common and undivided interest in T. 12, R. 13 in Aroostook County and T. 4,
12 R. 8 in Penobscot County. Both parcels have limited utility to the State due to lack of access
13 and management control.