



132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1724

H.P. 1151

House of Representatives, April 17, 2025

**Resolve, Authorizing the Baxter State Park Authority to Convey
Certain Land in Cumberland County**

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

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

ROBERT B. HUNT
Clerk

Presented by Representative GOLEK of Harpswell.
Cosponsored by President DAUGHTRY of Cumberland.

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 State of Maine, through the former Maine Forest Authority, acquired
7 fee title to an approximately 228-acre parcel of land known as the Austin Cary Lot in the
8 Town of Harpswell in Cumberland County through 2 conveyances; and

9 **Whereas,** the first conveyance occurred in 1973 and gifted to the State by deed
10 recorded in the Cumberland County Registry of Deeds, Book 3496, Page 215 a 5/6 common
11 and undivided interest subject to deed restrictions; and

12 **Whereas,** the 2nd conveyance occurred in 1974 and transferred to the State by deed
13 recorded in the Cumberland County Registry of Deeds, Book 3524, Page 171 the remaining
14 1/6 common and undivided interest subject to deed restrictions; and

15 **Whereas,** the deed restrictions on the property require that the Austin Cary Lot be
16 used for a demonstration forest, wildlife management area or other educational and
17 scientific uses for 99 years from the dates of the conveyances in 1973 and 1974; and

18 **Whereas,** the Maine Forest Authority paid for the 1/6 common and undivided interest
19 in 1974 using funds from the inter vivos trust of Percival Proctor Baxter, which were
20 designated for acquisition of additional lands for Baxter State Park and additional lands,
21 not for inclusion in Baxter State Park for recreational and reforestation or scientific forestry
22 purposes, or as wildlife sanctuaries; and

23 **Whereas,** in 1984 the Maine Forest Authority was abolished, and ownership and
24 management responsibilities of the Austin Cary Lot were legislatively transferred first to
25 the Bureau of Public Lands and then later in 1984 to the Baxter State Park Authority, which
26 retains ownership and management responsibilities to the present day; and

27 **Whereas,** the Austin Cary Lot is located more than 220 miles driving distance from
28 the Scientific Forest Management Area in Baxter State Park in Piscataquis County, and 180
29 miles driving distance from Baxter State Park's headquarters and only physical office in
30 Millinocket, and Baxter State Park has no staff presence in or near Cumberland County;
31 and

32 **Whereas,** the geographic distance of the Austin Cary Lot from Baxter State Park's
33 headquarters and the Scientific Forest Management Area has for many years presented a
34 challenge for Baxter State Park staff to manage the Austin Cary Lot; and

35 **Whereas,** the Baxter State Park Authority manages the Austin Cary Lot primarily for
36 the purpose of demonstrating sustainable forestry with the assistance of a contracted
37 licensed forester and in the past has relied on other state agencies to perform land
38 management activities at the Austin Cary Lot to demonstrate sustainable forestry; and

39 **Whereas,** it will benefit the people of Maine to convey the Austin Cary Lot to an
40 entity that has the presence to uphold the same management responsibilities that the Baxter
41 State Park Authority is committed by deed to uphold. If the interest in the parcel is sold for
42 cash, it will benefit the people of Maine to purchase alternative lands within Cumberland

1 County that can be managed for the same purposes as dictated by the parcel's deed as a
2 demonstration forest, wildlife management area or for other educational and scientific uses;
3 and

4 **Whereas,** the Baxter State Park Authority requests legislative approval to convey the
5 Austin Cary Lot; and

6 **Whereas,** the Director of the Bureau of Parks and Lands within the Department of
7 Agriculture, Conservation and Forestry may sell, lease or exchange lands with the approval
8 of the Legislature in accordance with the Maine Revised Statutes, Title 12, sections 1814,
9 1837 and 1851; now, therefore, be it

10 **Sec. 1. Baxter State Park Authority authorized to convey State's interest**
11 **in Austin Cary Lot in Town of Harpswell in Cumberland County. Resolved:**
12 That the Baxter State Park Authority may, upon a majority vote and contingent upon
13 receiving any necessary court approval, authorize the Baxter State Park Director to convey
14 by quitclaim deed without covenants, a parcel of land totaling approximately 228 acres in
15 the Town of Harpswell in Cumberland County, which is known as the Austin Cary Lot or
16 Austin Cary Forest, together with all appurtenant rights and easements located on that
17 property.

18 **Sec. 2. Restrictions. Resolved:** That the property described in section 1 must be
19 conveyed to a person or entity capable of managing the property subject to the following
20 perpetual deed restrictions for the benefit of the people of this State. The property must be
21 used for the primary purposes of sustainable forestry or wildlife management. The property
22 may be used for other scientific and educational uses that are related to these primary
23 purposes and must allow for public recreational use that is compatible with these primary
24 purposes.

25 **Sec. 3. Consideration. Resolved:** That consideration for the sale of the Austin
26 Cary Lot described in section 1 may be for appraised fair market value of the land as
27 determined by an independent assessment of the timber and other values or for an amount
28 that the Baxter State Park Authority, in its sole discretion, determines to be in the public
29 interest. All money received from the sale of the Austin Cary Lot must be used exclusively
30 for the purchase of additional real estate in Cumberland County for the primary purposes
31 of sustainable forestry or wildlife management and may be used for other scientific and
32 educational uses that are related to, and must allow for public recreational use that is
33 compatible with, these primary purposes.

34 SUMMARY

35 This resolve authorizes the Baxter State Park Authority to convey the State's interest
36 in the Austin Cary Lot in the Town of Harpswell subject to certain restrictions.