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January 12, 2024

The Honorable Chip Curry  
The Honorable Tiffany Roberts  
Co-Chairs  
The Joint Standing Committee on Innovation,  
Development, Economic Advancement and Business  
c/o Legislative Information  
100 State House Station  
Augusta, Maine 04333

Re: LD 1998: “An Act to Transfer the Arch Hangar at the Former Loring Air Force Base to the Loring Air Museum”

Dear Sen. Curry, Rep. Roberts, and members of the IDEA Committee:

I am Kelly McDonald, an attorney with the law firm of Murray Plumb & Murray in Portland, and I am here on behalf of Green 4 Maine, LLC (“**G4M**”) to testify in opposition to LD 1998.

G4M’s mission is to revitalize and redevelop the former Loring Air Force base into the preeminent economic hub for Northern Maine.

G4M opposes LD 1998 because it would constitute a taking of G4M’s property interest and would inhibit economic development and growth in the historically underdeveloped community of Limestone. LD 1998 would transfer the “Arch Hanger” from the Loring Development Authority to a nascent group to serve as a museum. However, G4M has a property interest in the Arch Hanger pursuant to a

Purchase and Sale Contract between G4M and LDA. Under that contract, G4M has the option of purchasing the Arch Hanger from LDA. G4M fully intends to exercise that option. The very existence of that option to purchase is a property interest. Any transfer of the Arch Hanger away from LDA would require the exercise of eminent domain by the State and the compensation of G4M for its lost property interest. Depending on how LD 1998 is actually worded, it could also constitute an unconstitutional impairment of the contract between G4M and LDA. Such an act would surely be challenged in court at significant expense and, even if the statute were deemed constitutional, the taxpayers would be liable for the damages that G4M would suffer.

As set forth in G4M's other testimony, diverting the Arch Hanger from the economic development of the base would significantly and negatively impact the opportunity to rebuild the local economy of Limestone.

Accordingly, G4M respectfully requests that the Committee vote Ought Not to Pass on LD 1998.

Sincerely,



Kelly W. McDonald

cc: Green 4 Maine, LLC