



MAINE HISTORIC PRESERVATION COMMISSION
55 CAPITOL STREET
65 STATE HOUSE STATION
AUGUSTA, MAINE
04333

JANET T. MILLS
GOVERNOR

KIRK F. MOHNEY
DIRECTOR

April 1, 2025

Sen. Rachel Talbot Ross, Chair
Rep. William D. Pluecker, Chair
Joint Standing Committee on Agriculture Conservation and Forestry
c/o Legislative Information Office
State House Station 100
Augusta, ME 04333

Re: LD 1264

Dear Sen. Ross and Rep. Pluecker:

I am writing to provide testimony neither for nor against LD 1264, *Resolve, Requiring the Director of the Bureau of Parks and Lands in the Department of Agriculture, Conservation and Forestry to Modify the Deed That Conveyed Montpelier, the General Henry Knox Museum in Thomaston, to the Friends of Montpelier* [as amended by the sponsor].

As stipulated in the deed, in 1999 the State of Maine released Montpelier, the General Henry Knox Museum, to the Friends of Montpelier. For their part the Friends agreed that the historic value of the property would not be destroyed or impaired, and that they accepted the responsibility to “preserve, protect, and maintain the Property” in perpetuity. Additional terms, conditions, provisions and restrictions included the Friends’ assumption of the cost “to preserve the architectural, historical, or archaeological integrity of the Property in order to protect and enhance those qualities that made the Property one registered as an historic place pursuant to the National Historic Preservation Act of 1966.” Furthermore, as a condition of the Historic Place Easement that was incorporated in the deed, the Friends agreed to “make no exterior or interior alterations, structural or cosmetic, on the Property without the prior written approval of the State of Maine through its State Historic Preservation Officer.”

The terms and conditions of the deed make it clear that the State was interested in the preservation of Montpelier as an historic place, and the Friends agreed to become the stewards of the property in trust for the people of Maine under those terms and conditions. By releasing the Friends from the requirement to use Montpelier for historic preservation and public education purposes, fundamental precepts of the State’s interest in this property on behalf of the public will be abrogated. Furthermore, in the absence of the reversion clause or any new clause that provides a mechanism to enforce the Historic Place Easement, the State will surrender its ability to ensure that the original terms of the property transfer that both parties agreed to in good faith are met.

The Maine Historic Preservation Commission holds easements on 126 individual properties in the state, including those transferred out of State and Federal ownership as well as those held by non-profit and governmental organizations that received grants of public funding to support preservation and restoration activities. **We are concerned about the precedent that LD 1264 could set for other entities who for whatever reason no longer wish to honor and abide by the terms and conditions under which property or public money was conveyed or granted to them.**

Sincerely,
Kirk F. Mohney
Director and State Historic Preservation Officer
Maine Historic Preservation Commission