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TESTIMONY BEFORE THE JOINT COMMITTEE ON AGRICULTURE,
CONSERVATION AND FORESTRY

OPPOSED LD 486

*An Act Directing the Bureau of Parks and Lands to Convey
Certain Land in Township 12, Range 13 WELS in Exchange for
Other Land in Township 11, Range 10 WELS*

March 9, 2021

Senator Dill, Representative O'Neil, and honorable members of the Joint Standing Committee on Agriculture, Conservation and Forestry, my name is Bill Patterson, and I am the Deputy Director of the Maine Bureau of Parks and Lands. I am speaking in opposition to LD 486 on behalf of the Department of Agriculture, Conservation and Forestry.

The bill would require the Bureau to convey common and undivided ownership in T12 R13 WELS in exchange for acreage in T11 R10 WELS. While the T11 R10 parcel would be a welcome acquisition for the State of Maine, the landowner does not wish to trade or sell that land. The Department relies on trust and good standing among timberland owners for a wide range of forest management and land acquisition activities. By contrast, LD 486 "directs" the Department to resolve this particular common/undivided interest through negotiation and, if necessary, requires legal action against the owner. This legislative directive runs counter to the willing seller-willing buyer approach that all landowners prefer. The Department has a working relationship with the majority landowner and we are not inclined to compel a private landowner to sell or trade land against their will.

It is true, the Bureau's current minority ownership in T12 R13 provides little value to the citizens of Maine in terms of recreational resources or timber revenue. The Department believes the best outcome is to sell the State's interest at the appraised value. As required by statute, the resulting proceeds will be held for the purchase of other lands within the same county—in this case, Aroostook. In fact, the Department has ongoing discussions with the landowner's agent, LandVest, regarding this matter. The bill in front of us today is unnecessary and could be counterproductive to reaching an agreement with the landowner.

The second problem with LD 486 is that it poses a significant financial burden on Public Lands and the citizens of Maine who enjoy them by requiring that property tax be paid on the resulting

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Bureau ownership. The Bureau now pays more than a quarter-million dollars a year to sixteen different Towns and Plantations through revenue sharing, mostly from lease revenue. Per Title 36, M.R.S.A. 651, Public Lands are exempt from property taxes. Public Lands management is entirely self-funded through timber management and lease fees and the Bureau receives no tax dollars through the general fund. Adding a new mandate to pay property taxes is a harmful scenario that will significantly reduce the funds available to maintain the roads, campgrounds, trails and other amenities that allow public access to some of the most cherished recreational destinations in the State of Maine. We suggest that the Committee request the Attorney General's opinion on the Constitutionality of this bill, as it is our understanding that this would be an indirect method of providing funds to the general fund.

For these reasons, the Department opposes LD 486. We would however like to assure the Committee that we will work hard to resolve the common and undivided interest in T12 R13. We are optimistic of the prospect for the sale of this common undivided interest at fair market value which will create an opportunity to acquire new land for the benefit of Maine citizens.

I would be glad to answer any questions.