

128th MAINE LEGISLATURE

FIRST SPECIAL SESSION-2017

Legislative Document	No. 1647
S.P. 604	In Senate, October 16, 2017

Resolve, Authorizing Certain Land Transactions by the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on October 12, 2017. Referred to the Committee on Agriculture, Conservation and Forestry pursuant to Joint Rule 308.2 and ordered printed.

Heath & Fuit

HEATHER J.R. PRIEST Secretary of the Senate

Presented by Senator JACKSON of Aroostook. Cosponsored by Representative MARTIN of Sinclair and Representative: WHITE of Washburn.

- **Preamble.** The Constitution of Maine, Article IX, Section 23 requires that real estate held by the State for conservation or recreation purposes may not be reduced or its uses substantially altered except on the vote of 2/3 of all members elected to each House; and
- 5 **Whereas,** the real estate authorized for conveyance by this resolve is under the 6 designations described in the Maine Revised Statutes, Title 12, section 598-A; and
- Whereas, the Director of the Bureau of Parks and Lands within the Department of
 Agriculture, Conservation and Forestry may sell or exchange lands with the approval of
 the Legislature in accordance with the Maine Revised Statutes, Title 12, sections 1837
 and 1851; and
- 11 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not 12 become effective until 90 days after adjournment unless enacted as emergencies; and
- Whereas, this legislation is important to the immediate and long-term economic
 health of the Town of Washburn and of Aroostook County; and
- 15 **Whereas,** this legislation is important to the safety of the public that uses the 16 multipurpose trail system in the Town of Washburn and to the safety of the public that 17 uses the roadways near that trail system; and
- 18 **Whereas,** in the judgment of the Legislature, these facts create an emergency within 19 the meaning of the Constitution of Maine and require the following legislation as 20 immediately necessary for the preservation of the public peace, health and safety; now, 21 therefore, be it
- 22 Sec. 1. Director of the Bureau of Parks and Lands authorized, but not 23 directed, to exchange certain land in the Town of Washburn, Aroostook County. Resolved: That the Director of the Bureau of Parks and Lands within the 24 25 Department of Agriculture, Conservation and Forestry may by quitclaim deed convey to the Town of Washburn the property southwest of the intersection of Main Street, Route 26 27 164, and Gardiner Creek Road constituting a segment of the Aroostook Valley Trail from where it joins the Bangor and Aroostook Trail, both being state-owned trails used for 28 29 motorized recreation, in exchange for conveyance of the property west and north of the 30 intersection of Main Street, Route 164, and Riverside Drive, now owned by the Town of Washburn, constituting a new stretch of trail corridor 60 feet wide, on which the Town of 31 32 Washburn must have built a new trail making a connection between the 2 trails according 33 to specifications provided by the Bureau of Parks and Lands prior to this conveyance.
- 34 **Emergency clause.** In view of the emergency cited in the preamble, this 35 legislation takes effect when approved.
- 36 SUMMARY
- This resolve authorizes the Department of Agriculture, Conservation and Forestry,
 Bureau of Parks and Lands to exchange land along Main Street, Route 164, in the Town

- 1 of Washburn for a nearby piece of land in order to improve the safety of recreational
- 2 travel on certain state-owned trails used for motorized recreation and allow the town to
- 3 sell a parcel of land it owns to a national business for development.