

No. 89. An act relating to the authority of the Department of Forests, Parks and Recreation to enter into land transactions.

(S.149)

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 10 V.S.A. § 2606 is amended to read:

§ 2606. ACCEPTANCE OF GIFTS; EXCHANGE, PURCHASE, OR LEASE
OF LANDS

(a) The ~~commissioner~~ Commissioner, with the approval of the ~~governor~~ Governor, may accept gifts of land or interests in land to the ~~state~~ State, or may purchase land or interests in land in the name of the ~~state~~ State to be held and administered as ~~state~~ State forests ~~or state~~, State parks, easement interests, or as interests supporting the management and use of such lands and interests.

(b) ~~With~~ Notwithstanding 29 V.S.A. § 166, with the approval of the ~~general assembly~~ General Assembly, which may be granted by resolution, the ~~commissioner~~ Commissioner may sell, convey, exchange, or lease lands, or interests in land, or may amend deeds, leases, and easement interests, under his or her jurisdiction when in ~~their~~ his or her judgment it is advantageous to the ~~state~~ State to do so in the highest orderly development and management of ~~state~~ State forests ~~and~~, State parks, or other interests in land.

(c) The ~~commissioner~~ Commissioner, with the approval of the ~~governor~~ Governor, may lease mine, quarry, or other resource sites or rights as may be discovered on ~~state~~ State forest or State park lands unconditionally owned by the ~~state~~ State.

(d) The ~~commissioner~~ Commissioner, with the approval of the ~~governor~~ Governor, may lease for a term of years, or otherwise, such lands as he or she deems necessary for the protection of ~~state~~ State forest or State park lands or for use by the ~~state~~ State in connection therewith.

(e) The provisions of this section shall not be construed to allow the ~~commissioner~~ Commissioner to grant oil and gas leases.

Sec. 2. 29 V.S.A. § 166 is amended to read:

§ 166. SELLING OR RENTING STATE PROPERTY

(a) As agent of the ~~state~~ State, with the advice and consent of the ~~governor~~ Governor unless otherwise provided, the ~~commissioner of buildings and general services~~ Commissioner of Buildings and General Services may lease for a term not exceeding 10 years any real property owned by the ~~state~~ State and not used for ~~state~~ State purposes. This subsection shall not apply to leases of land pursuant to 10 V.S.A. chapter 83.

(b) Upon authorization by the ~~general assembly~~ General Assembly, which may be granted by resolution, and with the advice and consent of the ~~Governor~~, the ~~commissioner of buildings and general services~~ Commissioner of Buildings and General Services may sell real estate owned by the ~~state~~ State. Such property shall be sold to the highest bidder therefor at public auction or upon sealed bids in the discretion of the ~~commissioner of buildings and general services~~ Commissioner of Buildings and General Services, who may reject any or all bids. Notice of the sale or a request for sealed bids shall

be posted in at least three public places in the town where the property is located and also published three times in a newspaper having a known circulation in ~~said~~ the town, the last publication to be not less than 10 days before the date of sale or opening of the bids. Failing to consummate a sale under the method prescribed in this section, the ~~commissioner of buildings and general services~~ Commissioner of Buildings and General Services is authorized to list the sale of this property with a real estate agent licensed by the ~~state~~ State of Vermont. This subsection shall not apply to exchanges of lands or sales of timber made in accordance with the provisions of ~~chapter 55 of Title 10~~ 10 V.S.A. chapter 55 or to the sale of land or interests in land made in accordance with the provisions of 10 V.S.A. chapter 83.

Sec. 3. DEPARTMENT OF FORESTS, PARKS AND RECREATION;

LAND TRANSACTIONS

Nothing in Secs. 1 and 2 of this act shall be interpreted to affect any prior authorization for a land transaction under 10 V.S.A. § 2606(b) or any joint resolution of the General Assembly.

Sec. 4. EFFECTIVE DATE

This act shall take effect on passage.

Date Governor signed bill: February 28, 2018