

TITLE I

THE STATE AND ITS GOVERNMENT

CHAPTER 12-A

DEPARTMENT OF NATURAL AND CULTURAL RESOURCES

State Ski Operations

Section 12-A:29-a

12-A:29-a Lease Agreement; Terms. –

The department of natural and cultural resources shall develop a lease agreement which shall include the following terms in the event that the state enters into an agreement to lease Cannon Mountain or Mount Sunapee ski area, or both:

I. The terms of the lease, including length, fee structure, methods used to determine the fee structure and to measure the amount of fees to be paid, and default conditions.

II. The assets that would be included in the lease, i.e. what is included in the lease and what is not, how these assets would be transferred or sold to the lessee, determination of the value of the assets, and requirements to regularly value the assets.

III. Investment requirements upon the lessee. The lease shall include provisions to ensure that the lessee shall prepare a master plan that fulfills an obligation to maintain and upgrade the assets on state land.

IV. Environmental regulations and controls including:

(a) Prototype regulations to preserve and protect state land which shall include but not be limited to:

(1) Soils;

(2) Water quality;

(3) Wetlands;

(4) Wildlife habitat;

(5) Scenic and aesthetic qualities; and

(6) Multi-seasonal recreational opportunities.

(b) Procedures to follow when the lessee requests a permit to replace major equipment (such as a lift) or expand the ski area, cut new trails, increase snowmaking, or alter master planning requirements.

V. (a) The role of the state in the on-going lease of the ski areas, including the state's regulatory authority and power.

(b) The establishment of a prototype commission to oversee and administer the lease.

(c) The operational responsibilities remaining with the state and how these responsibilities would interact with the lessee's responsibilities.

VI. The disposition of employees employed by the ski areas including:

(a) Transfers within the department or the state.

(b) Offering employees the option of being bought out.

Source. 1996, 258:1, eff. June 10, 1996. 2017, 156:14, I, eff. July 1, 2017.