

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

SECOND REGULAR SESSION-1999

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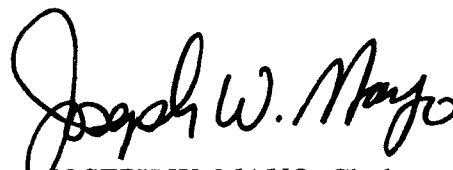
H.P. 1650

House of Representatives, December 29, 1999

Resolve, Authorizing the Commissioner of Administrative and Financial Services to Sell or Lease the Interests of the State in the Maine State Prison in Thomaston.

Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.

Received by the Clerk of the House on December 27, 1999. Referred to the Committee on State and Local Government pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.


JOSEPH W. MAYO, Clerk

Presented by Representative AHEARNE of Madawaska.
Cosponsored by Representative BUMPS of China, Senator: PENDLETON of Cumberland.

2 **Sec. 1. Definitions. Resolved:** That as used in this resolve,
3 unless the context otherwise indicates, the following terms have
4 the following meanings.

5 1. "Commissioner" means the Commissioner of Administrative
6 and Financial Services.

7 2. "State property" means the real and personal property
8 described in section 3 of this resolve; and be it further

9 **Sec. 2. Authority to convey property. Resolved:** That the State,
10 by and through the commissioner, may:

11 1. Lease or sell the interests of the State in the state
12 property;

13 2. Negotiate, draft, execute and deliver any documents
14 necessary to settle any boundary line discrepancies;

15 3. Exercise, pursuant to the Maine Revised Statutes, Title
16 23, chapter 3, the power of eminent domain to quiet for all time
17 any possible challenges to ownership of the state property;

18 4. Negotiate, draft, execute and deliver any easements or
19 other rights that, in the commissioner's discretion, may
20 contribute to the value of a proposed sale or lease of the
21 State's interests; and

22 5. Release any interests in the state property that, in the
23 commissioner's discretion, do not contribute to the value of the
24 remaining state property; and be it further

25 **Sec. 3. Property interests that may be conveyed. Resolved:** That
26 the state property authorized to be sold or leased is the
27 following:

28 1. The Maine State Prison, located in Thomaston and
29 comprised of land located on the northerly and southerly sides of
30 U.S. Route 1, including but not limited to the following deeds
31 recorded at the Knox County Registry of Deeds: Book 16, Pg. 517;
32 Book 22, Pg. 213; Book 23, Pg. 498; Book 27, Pg. 157; Book 31,
33 Pg. 187; Book 172, Pg. 561; Book 358, Pg. 44; Book 399, Pg. 181;
34 Book 457, Pg. 322; Book 18, Pg. 122; Book 28, Pg. 266; Book 250,
35 Pg. 212; Book 442, Pg. 198; Book 445, Pg. 593; Book 475, Pg. 179;
36 Book 6, Pg. 179; and Book 237, Pg. 429, together with all rights,
37 privileges and easements appurtenant thereto and together with
38 all of the State's interest in and to the buildings, improvements
39 and personal property located thereon, including all vehicles,
40 machinery, equipment and supplies; and be it further

2 **Sec. 4. Property to be sold "as is." Resolved:** That the
3 commissioner may negotiate and execute leases and purchase and
4 sale agreements upon those terms the commissioner considers
5 appropriate; however, the state property must be sold "as is,"
6 without any representations or warranties.

7 Title must be transferred by quitclaim deed without covenant
8 and executed by the commissioner; and be it further

10

11 **Sec. 5. Exemptions. Resolved:** That any lease or conveyance
12 pursuant to this resolve is exempt from any statutory or
13 regulatory requirement that the property first be offered to the
14 Maine State Housing Authority or another state or local agency;
15 and be it further

16

17 **Sec. 6. Purchase price. Resolved:** That the commissioner shall
18 have the current market value of the state property determined by
19 an independent appraiser. The commissioner may list the property
20 for sale or lease with private real estate brokers at its
21 appraised value and negotiate sales or leases, solicit bids, sell
22 directly to purchasers or enter directly into leases with
23 tenants. The commissioner may reject any offers.

24

25 The commissioner shall establish the rent or purchase price
26 and the terms of lease or sale.

28

29 If the commissioner elects to solicit bids, the commissioner
30 shall publish notices of sale sufficient to advertise the
31 property. The commissioner may reject any bids; and be it further

32

33 **Sec. 7. Repealed. Resolved:** That this resolve is repealed 3
34 years from its effective date.

34

36

SUMMARY

38

39 This resolve authorizes the Commissioner of Administrative
40 and Financial Services to sell or lease the Maine State Prison.