

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 744

H.P. 549

House of Representatives, February 11, 2019

**Resolve, Authorizing the Commissioner of Administrative and
Financial Services To Convey the Interests in Certain Real Property
Located in East Millinocket**

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative STANLEY of Medway.

1 **Sec. 1. Authority to convey state property. Resolved:** That, notwithstanding
2 any other provision of law, the State, by and through the Commissioner of Administrative
3 and Financial Services, may:

4 1. Convey by sale any or a portion of the interests of the state in the state property
5 described in section 2, referred to in this resolve as "the state property," with the buildings
6 and improvements, together with all appurtenant rights and easements, and all personal
7 property located on that property, including vehicles, machinery, equipment and supplies;

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

10 3. Exercise, pursuant to the Maine Revised Statutes, Title 23, chapter 3, subchapter
11 3, the power of eminent domain to quiet for all time any possible challenges to ownership
12 of the state property;

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

16 5. Release any interests in the state property that, in the commissioner's discretion,
17 do not contribute to the value of the remaining state property.

18 **Sec. 2. Property interests that may be conveyed. Resolved:** That the state
19 property authorized to be sold or leased is a parcel or parcels of land located in the Town
20 of East Millinocket known as "the Dolby Landfill," consisting of approximately 3,384
21 acres conveyed to the State by Katahdin Paper Company LLC on September 28, 2011,
22 recorded in the Penobscot County Registry of Deeds, Book 12608, Page 97-104 and
23 identified on the Town of East Millinocket's Tax Assessor's Map 01 as Lot 09-011.

24 **Sec. 3. Property to be sold as is. Resolved:** That the Commissioner of
25 Administrative and Financial Services may negotiate and execute leases and purchase and
26 sale agreements upon terms the commissioner considers appropriate; however, the state
27 property must be sold "as is," with no representations or warranties. Title must be
28 transferred by quitclaim deed without covenant or release deed and executed by the
29 commissioner.

30 **Sec. 4. Exemptions. Resolved:** That any lease or conveyance pursuant to this
31 resolve is exempt from any statutory or regulatory requirement that the state property
32 must first be offered to the Maine State Housing Authority or another state or local
33 agency or offered through competitive bidding.

34 **Sec. 5. Appraisal. Resolved:** That the Commissioner of Administrative and
35 Financial Services shall have the current market value of the state property determined by
36 a broker opinion of value and current comparative market analysis. The commissioner
37 may list the state property for sale or lease with a private real estate broker and negotiate
38 any sale or lease, solicit bids, sell directly to a purchaser or enter directly into a lease with
39 a tenant. The commissioner may reject any offer.

1 **Sec. 6. Proceeds. Resolved:** That any proceeds from the sale or lease of the state
2 property pursuant to this resolve must be deposited into the Department of Administrative
3 and Financial Services, Bureau of General Services' capital repair and improvement
4 account for capital improvements.

5 **Sec. 7. Repeal.** This resolve is repealed 5 years from its effective date.

6 **SUMMARY**

7 This resolve authorizes the Commissioner of Administrative and Financial Services
8 to lease or sell the state property known as "the Dolby Landfill" located in the Town of
9 East Millinocket.