

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 1170

H.P. 775

House of Representatives, March 20, 2025

**An Act to Make the Maine Redevelopment Land Bank Authority
Responsible for the Transfer and Development of State-owned
Surplus Land**

Reference to the Committee on Housing and Economic Development suggested and ordered printed.

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

ROBERT B. HUNT
Clerk

Presented by Representative JULIA of Waterville.
Cosponsored by Senator CURRY of Waldo and
Representatives: COLLAMORE of Pittsfield, EDER of Waterboro, GERE of Kennebunkport,
GOLEK of Harpswell, MALON of Biddeford, ROBERTS of South Berwick, SACHS of
Freeport, YUSUF of Portland.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 5 MRSA §1742, sub-§23**, as amended by PL 2017, c. 234, §1, is further
3 amended to read:

4 **23. Inventory of land.** To periodically inventory all land owned by any state agency
5 and, together with other state agencies, determine land that is needed by state agencies for
6 other uses and land that is surplus. Prior to offering any land for sale, the commissioner
7 shall review with the ~~Maine State Housing Authority~~ Maine Redevelopment Land Bank
8 Authority and other state agencies the information derived from the inventory.

9 A. By February 1, 1988, the commissioner shall provide an initial report on the status
10 of the land inventory to the joint standing committees of the Legislature having
11 jurisdiction over economic development; state and local government; and
12 appropriations and financial affairs.

13 B. Notwithstanding any ~~other~~ provision of law to the contrary, the procedure for the
14 distribution of surplus state property for the purpose of this subsection ~~shall take~~ takes
15 priority over any other procedure for the disbursement of surplus state land.

16 C. ~~Nothing in this~~ This subsection ~~shall~~ may not be construed to pertain to public
17 reserved lands ~~which~~ that are exempt from this subsection.

18 D. The department shall work closely with the ~~Maine State Housing Authority~~ Maine
19 Redevelopment Land Bank Authority to develop a procedure by which surplus state-
20 owned land and structures are held in trust for the purpose set forth in this section and
21 Title 30-A, chapter 201, subchapter 3-A;

22 **Sec. 2. 30-A MRSA §4754, sub-§3**, as amended by PL 2017, c. 234, §24, is further
23 amended to read:

24 **3. State-owned property.** The ~~Maine State Housing Authority~~ Maine Redevelopment
25 Land Bank Authority may use surplus state-owned property pursuant to this subchapter and
26 Title 5, section 1742, subsection 23 to achieve the purpose of this ~~article~~ subchapter.

27 **Sec. 3. 30-A MRSA §4754-A**, as enacted by PL 1989, c. 914, §5, is amended to
28 read:

29 **§4754-A. First option to purchase surplus lands**

30 All state agencies shall offer the ~~Maine State Housing Authority~~ Maine Redevelopment
31 Land Bank Authority the opportunity to purchase or otherwise acquire any land and
32 improvements on the land or any structures determined to be surplus before the property
33 may be offered for sale or transfer to any other state agency, community or other buyer or
34 transferee. Notice of availability must be provided in writing to the ~~Director~~ executive
35 director of the ~~Maine State Housing Authority~~ Maine Redevelopment Land Bank
36 Authority.

37 **1. Notification of interest.** The ~~Maine State Housing Authority~~ Maine
38 Redevelopment Land Bank Authority shall advise the owner agency in writing of its
39 interest in purchasing or otherwise acquiring the surplus land and any improvements on the
40 land or surplus structures or of its decision not to purchase or otherwise acquire any such
41 surplus property within 30 days of receipt of the notification by the ~~Director~~ executive

1 ~~director of the Maine State Housing Authority~~ Maine Redevelopment Land Bank
2 Authority.

3 **2. Purchase price.** If the ~~Maine State Housing Authority~~ Maine Redevelopment Land
4 Bank Authority offers to purchase the property, the purchase price must be determined as
5 follows.

6 A. The current market value must be determined by an independent appraiser or by
7 agreement between the ~~Maine State Housing Authority~~ Maine Redevelopment Land
8 Bank Authority and the owner agency. The ~~Maine State Housing Authority~~ Maine
9 Redevelopment Land Bank Authority and the owner agency then shall negotiate the
10 ultimate purchase price in good faith in order to achieve the respective goals and
11 mandates of the ~~Maine State Housing Authority~~ Maine Redevelopment Land Bank
12 Authority and the owner agency.

13 B. The purchase price may not exceed the current market value of the property as
14 determined in paragraph A.

15 C. If title to the land or improvements carries a requirement that the property be sold
16 at fair market value, then this requirement prevails over the terms of this subsection.

17 **3. Report.** ~~The Maine State Housing Authority shall report to the joint standing~~
18 ~~committee of the Legislature having jurisdiction over housing and economic development~~
19 ~~matters 90 days after the 2nd anniversary of the effective date of this section on state surplus~~
20 ~~land purchased under this section together with any recommendations for improvements.~~

21 If any land determined to be surplus is located in a community served by a ~~local public~~
22 municipal housing authority under section 4721, as defined in this Title, the ~~Maine State~~
23 ~~Housing Authority~~ Maine Redevelopment Land Bank Authority shall offer the first option
24 to purchase the parcel to the ~~local public~~ municipal housing authority. The ~~local public~~
25 municipal housing authority has 45 days to indicate in writing its desire to acquire the
26 parcel. Other offers to purchase the parcel may not be considered until the 45-day period
27 has passed.

28 **Sec. 4. 30-A MRSA §4755**, as amended by PL 2017, c. 234, §25, is further amended
29 to read:

30 **§4755. Provide property**

31 The ~~Maine State Housing Authority~~ Maine Redevelopment Land Bank Authority may
32 provide surplus state property below market value pursuant to this subchapter and Title 5,
33 section 1742, subsection 23 to any person, firm or organization that agrees to construct,
34 reconstruct or rehabilitate affordable housing for low-income and moderate-income
35 households and maintain this property for this purpose in a written contract with the ~~Maine~~
36 ~~State Housing Authority~~ Maine Redevelopment Land Bank Authority.

37 **Sec. 5. 30-A MRSA §4756**, as enacted by PL 1989, c. 48, §§3 and 31, is amended
38 to read:

39 **§4756. Rules**

40 The Maine State Housing Authority shall adopt routine technical rules in accordance
41 with the ~~Maine Administrative Procedure Act~~, Title 5, chapter 375, subchapter 2-A to
42 implement ~~this subchapter~~ sections 4751, 4752 and 4753, including eligibility standards
43 for financing under ~~this subchapter~~ sections 4751, 4752 and 4753. The Maine

1 Redevelopment Land Bank Authority shall adopt routine technical rules in accordance with
2 Title 5, chapter 375, to implement sections 4754, 4754-A and 4755, including eligibility
3 standards for financing under sections 4754, 4754-A and 4755.

4 **Sec. 6. 30-A MRSA §5157, sub-§1, ¶D**, as enacted by PL 2021, c. 664, §3, is
5 amended to read:

6 D. Property that is environmentally hazardous; ~~and~~

7 **Sec. 7. 30-A MRSA §5157, sub-§1, ¶E**, as enacted by PL 2021, c. 664, §3, is
8 amended to read:

9 E. Property that a municipality or county has determined is not within the capacity of
10 the municipality or county to redevelop and for which the municipality or county has
11 requested the assistance of the redevelopment authority; ~~and~~

12 **Sec. 8. 30-A MRSA §5157, sub-§1, ¶F** is enacted to read:

13 F. Property determined to be surplus land under Title 5, section 1742, subsection 23
14 and chapter 201, subchapter 3-A.

15 SUMMARY

16 This bill replaces the Maine State Housing Authority with the Maine Redevelopment
17 Land Bank Authority as the state agency responsible for the transfer and development of
18 state-owned surplus land. The bill also removes an outdated report provision regarding the
19 Maine State Housing Authority's first option to purchase surplus lands.