

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

PORTLAND LITHOGRAPH COMPANY
PORTLAND, MAINE
1977

PUBLIC LAWS
OF THE
STATE OF MAINE
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ONE HUNDRED AND EIGHTH LEGISLATURE
1977

ending June 30, 1978 and the sum of \$100,000 for the fiscal year ending June 30, 1979 to carry out the purposes of this Act. Any unexpended balance shall be carried forward until the purposes of this Act have been accomplished.

Effective October 24, 1977

CHAPTER 495

AN ACT Permitting the Director of Public Lands to Sell Small Parcels of Public Reserved Lands with Legislative Approval.

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

Sec. 1. 30 MRSA § 4169, sub-§ 1, last sentence, as enacted by PL 1975, c. 339, § 12, is amended to read:

~~He~~ Except as provided in subsection 1-A, he shall, only after the approval of the Legislature, sell, exchange or relocate such lands.

Sec. 2. 30 MRSA § 4169, sub-§ 1-A is enacted to read:

1-A. Sale of small parcels. The director may, after review by the Joint Standing Committee on State Government and subsequent approval by the Governor, sell any parcel of public reserved land not exceeding $\frac{1}{4}$ acre in size provided that:

- A. The parcel is sold to the owner of private land which adjoins the parcel;
- B. The director determines that public ownership of the parcel, because of its size, shape and location, has no use or value except as an adjunct to the adjoining private property; and
- C. The sale is for fair market value of the parcel as determined by the director, taking account of factors including the effect of ownership of the parcel upon the value of the adjoining private property.

Prior to requesting review and approval, the director shall give notice of the proposed sale and may hold a public hearing, provided he shall hold a public hearing if requested by any party. Prior to making any sale, the director shall make a written finding with respect to the requirements of this subsection. The written finding shall be available for public inspection at the director's office during regular working hours.

It is the policy of the State that the requirements of this subsection be strictly applied, and that sale of any parcel of a public reserved lot be discouraged except in compliance with this subsection.

Effective October 24, 1977