

# MAINE STATE LEGISLATURE

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October 20, 1977

Honorable Samuel W. Collins, Jr.  
31 Samoset Road  
Rockland, Maine 04841

Dear Senator Collins:

This responds to your request for an opinion as to whether the provisions of P. & S.L. 1975, c. 57, are sufficient to cover a certain course of activity or whether amendment is needed.

Chapter 57 authorizes Knox County to raise \$700,000 for construction of a county jail and District Court facility. Sections 1 and 2 of Chapter 57 authorize the expenditure of certain sums for the county jail and the District Court facility respectively and authorize either renovation or enlargement of existing buildings or construction of new buildings: "together with any land required therefor."

The court facility in question is being constructed in a parking lot adjacent to a pre-existing facility. As a result of this construction, further acquisition of land is necessary to provide requisite parking facilities. Your question is whether the authorization in Sections 1 and 2 providing for construction of facilities "together with any land required therefor" extends to acquiring land, currently privately owned, adjacent to the new facility for purposes of parking.

We construe the provisions of Sections 1 and 2 of Chapter 57, as presently written, to be sufficient to authorize expenditure of funds to acquire and construct a parking lot on lands, presently privately owned, adjacent to the court facility constructed pursuant to Chapter 57.


The law clearly contemplates acquisition of land. In this case, rather than acquiring privately owned land for the facility,

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the county chose to use an existing parking lot. The language of Chapter 57 is sufficiently broad to permit acquisition of land both for a new facility and for a parking lot adjacent to such facility, as parking lots are reasonable appurtenances to public buildings such as courts and jails. That being the case, there is no problem with the county utilizing its own land for the facility but acquiring additional land to construct the parking area which will be appurtenant to the new facility. Therefore, we do not believe that amendment of Chapter 57 is necessary to allow for acquisition of privately owned land, adjacent to the court facility constructed pursuant to Chapter 57, for purposes of construction of a parking lot.

I hope this information is helpful.

Sincerely,



DONALD G. ALEXANDER  
Deputy Attorney General

DGA:jg