

MAINE STATE LEGISLATURE

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OFFICE OF
THE GOVERNOR

NO. 28 FY 73-74

DATE May 7, 1974

STATE ACQUISITION AND SALE OF LAND

Chapter 460 of the Public Laws of 1973 created the Bureau of Public Lands within the Department of Conservation. The Bureau was established for several purposes; first, to have custody and control over specified public lands; second, to provide the Executive branch of the State government with a coordinated and comprehensive approach to the acquisition, management, and disposal of all the public lands of the State; and third, to provide other state agencies and the general public with a clearinghouse for current information respecting the status and availability of public lands for their use.

To these ends, the Bureau of Public Lands (hereinafter referred to as "the Bureau") shall:

1. Establish a comprehensive and concise inventory of real property in the ownership, custody, or control of all the various agencies of the State of Maine, and procedures for its easy access and regular updating.
2. Establish a procedure for regular review by the Bureau of proposed purchases, transfers, and sales of real property by all of the various agencies of the State, in order to minimize costly duplication in the acquisition or use of real property; to avoid inconsistent policies in the purchase, management or sale of real property by different agencies; and to coordinate the sound management and efficient use of real property by different agencies.
3. Establish a standard policy and procedure for the retention, use, or disposal of surplus or unused lands by agencies of the State, including procedures whereby the Bureau may be the repository for management and custody of lands declared surplus or unused by other agencies of the State.

In order to enable the Bureau of Public Lands to develop and implement its responsibilities, each and every department, bureau, commission, authority, or other agency or instrumentality of the State (hereinafter referred to as "agency") is hereby directed and ordered as follows:

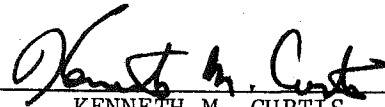
4. Every Agency shall delivery to the Director of the Bureau not later than September 15, 1974, a list of all real property owned by such Agency or by the State and under the custody or control of such Agency, together with a general description of the size, location, nature of the real property interest (fee simple, leasehold, etc.), extent of improvements, and general purpose for which such real property is owned or used. Thereafter, every Agency shall so inform the Bureau of any new property acquisition, or of any

significant change in these respects to current properties, within 30 days of such acquisition or change.

5. No Agency shall purchase any interest in real property in the State of Maine without at least 30 days' prior notice to or written acknowledgment of the proposed acquisition from the Bureau of Public Lands. Such notice shall contain a general description of the size, location, and nature of the property interest proposed; of the purposes and estimated cost of the acquisition; and of the planning and management provisions made for the use and improvement of the property.
6. No Agency shall offer for sale, lease, or transfer any interest in real property in the State of Maine without at least 30 days' prior notice to or written acknowledgment of the proposed transaction from the Bureau of Public Lands. Such notice shall contain a general description of the size, location, and nature of the property interest involved; of the purposes of the proposed transaction; and of the anticipated size of the financial consideration involved, if any.
7. No Agency shall request or participate in the preparation of any legislation or legislative resolve designed to direct or authorize the conveyance of any real property owned by the State without at least 15 days' prior written notice to or written acknowledgment of this intent from the Bureau of Public Lands.

The Director of the Bureau of Public Lands shall have the power to exempt specific Agencies or categories or classes of real property upon the written request of any Agency, if the Director finds that such exemption would not be inconsistent with the goals and objectives of this Executive Order.

Executive Order No. 10 dated June 9, 1971, is hereby rescinded and revoked. This Executive Order shall become effective as of the date hereof.



KENNETH M. CURTIS
Governor

KMC/gwd