

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 731

H. P. 591 House of Representatives, February 20, 1975
Referred to Committee on State Government. Sent up for concurrence and
ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Bustin of Augusta.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT to Regulate the Removal of Historic and Culturally Significant
Structures from within the Boundaries of the State of Maine.

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

Sec. 1. 27 MRSA c. 19 is enacted to read:

CHAPTER 19

REMOVAL OF HISTORIC AND CULTURALLY SIGNIFICANT
STRUCTURES FROM STATE

§ 531. Declaration of policy

The Legislature declares it is the policy of the State that, insofar as practicable, structures of culturally and historically irreplaceable value as educational and economic resources of the State shall not be removed from the State, except in accordance with the following procedures.

1. Notification of State Historic Preservation Officer. Ninety days prior to contracting for the legal sale or transfer of any structure falling within the definition of this chapter, the property owner shall notify the State Historic Preservation Officer in writing of his intent to sell or transfer the ownership of such structure for purposes of its removal from within the geographic boundaries of the State of Maine.

2. Commission to meet. Within 30 days from the receipt of such a declaration of intent by the property owner, a committee herein designated shall meet to determine if the State, municipality in which the structure is located or any private organization will express an interest in purchasing such structure at a fair market value for the purpose of preserving it within the boundaries of the State. If such a desire is expressed by the State, municipality or

private preservation organization, it will in the above order have first option to purchase such structure at a fair market value within the above-mentioned period of 90 days.

§ 532. Definitions

As used in this chapter, unless the context otherwise clearly indicates, the following words shall have the following meanings.

1. Committee. "Committee" means a committee consisting of the State Historic Preservation Officer, the Director of the State Museum, the Director of the State Commission on the Arts and Humanities, the Representative from the district in which the structure is located and the chief administrative official in the community in which the structure is located.

2. Fair market value. "Fair market value" means the average value assigned to a structure by the 3 qualified appraisers, at least one of whom shall be appointed by the State. The cost of appraisals shall be assumed by the State.

3. Historic and cultural significance. "Historic and cultural significance" means any man-made feature used historically as a dwelling, place of business or as a focal point for events of historic and cultural significance in Maine's past and which is 50 or more years old.

§ 533. Duties of the committee

The duties of the committee are:

1. To ascertain value. To ascertain if the structure in question is of irreplaceable value to the State's historic or cultural heritage;

2. To make recommendations on purchase. To make recommendations to the Governor and Council on the purchase of the structure in question; and

3. To issue a release in certain situations. To issue a release to the owner of the structure in question if it is the majority vote of the committee that the structure is not of irreplaceable value or if no interest in acquiring the structure can be found on the part of the State, municipality or any private preservation organization.

Sec. 2. Appropriation. There is appropriated from the General Fund to the Maine State Historic Preservation Committee, for the purpose of administering this Act, the sum of \$2,000. The breakdown shall be as follows:

	1975-76	1976-77
MAINE STATE HISTORIC PRESERVATION COMMITTEE		
All Other	\$1,000	\$1,000

STATEMENT OF FACT

This Act will prevent any structure of significant historical or cultural value from being removed from the State unless the State, the municipality in which the structure is located or any private preservation organization is given an opportunity to purchase the structure at fair market value.