

# MAINE STATE LEGISLATURE

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1 (EMERGENCY)  
2 FIRST REGULAR SESSION  
3

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4 ONE HUNDRED AND TWELFTH LEGISLATURE  
5

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6 Legislative Document

No. 4

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8 H.P. 3

House of Representatives, December 4, 1984

9 Reference to the Committee on State Government is suggested and  
10 ordered printed.

11 EDWIN H. PERT, Clerk

Presented by Speaker of the House Martin of Eagle Lake.  
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13 STATE OF MAINE  
14

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15 IN THE YEAR OF OUR LORD  
16 NINETEEN HUNDRED AND EIGHTY-FOUR  
17

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18 AN ACT Prohibiting State Agencies from  
19 Purchasing Real Property.  
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21 Emergency preamble. Whereas, Acts of the Legis-  
22 lature do not become effective until 90 days after  
23 adjournment unless enacted as emergencies; and

24 Whereas, when state agencies purchase real prop-  
25 erty which was previously privately owned the local  
26 tax base is reduced; and

27 Whereas, a purchase of real property of the State  
28 thereby increases the tax burden of local taxpayers;  
29 and

30 Whereas, in the judgment of the Legislature,  
31 these facts create an emergency within the meaning of  
32 the Constitution of Maine and require the following  
33 legislation as immediately necessary for the preser-  
34 vation of the public peace, health and safety; now,  
35 therefore,

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

3 Sec. 1. 5 MRSA §1742, sub-§19, as amended by PL  
4 1967, c. 307, is further amended to read:

5 19. Facilities required by State. To lease or  
6 approve the leasing of grounds, buildings, facilities  
7 and office space required by departments and agencies  
8 of the State Government. No lease shall be for a pe-  
9 riod of more than 20 years to purchase grounds,  
10 buildings, facilities and office space necessary for  
11 the conduct of state business by agencies, boards,  
12 commissions and departments of State Government;

13 Sec. 2. 5 MRSA §1742, as amended by PL 1983, c.  
14 824, Pt. Y, is further amended by adding at the end a  
15 new paragraph to read:

16 Except as provided in subsection 19, no agency,  
17 board, commission or department of State Government  
18 may have authority to purchase grounds, buildings,  
19 facilities and office space for its own use or for  
20 investment purposes.

21 **Emergency clause.** In view of the emergency cited  
22 in the preamble, this Act shall take effect when ap-  
23 proved.

24 STATEMENT OF FACT

25 The purpose of this bill is to prohibit state  
26 agencies from purchasing real property. When the  
27 State acquires ownership of previously privately  
28 owned property, the local tax base is reduced thereby  
29 increasing the tax burden of local taxpayers. This  
30 is a policy which should be avoided whenever possi-  
31 ble. In circumstances where purchase of real proper-  
32 ty is necessary, the Bureau of Public Improvements  
33 would oversee the purchase by the State.

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