

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 1241

6
7 H.P. 884

House of Representatives, April 9, 1985

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

10 EDWIN H. PERT, Clerk

Presented by Representative Sproul of Augusta.

Cosponsored by Representative Wentworth of Wells.

11
12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT Relating to Disposition of State-owned
18 Real Estate.
19

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

22 1 MRSA c. 22 is enacted to read:

23 CHAPTER 22

24 SALE OF STATE-OWNED REAL ESTATE

25 §821. Definitions

26 As used in this chapter, unless the context oth-
27 erwise indicates, the following terms have the fol-
28 lowing meanings.

29 1. Appraised value. "Appraised value" means the
30 value arrived at by taking the average of 3 separate
31 appraisals conducted by persons licensed as real es-
32 tate brokers or salesmen in the State.

1 2. Commissioner. "Commissioner" means the Com-
2 missioner of Finance and Administration.

3 3. Department. "Department" means the Depart-
4 ment of Finance and Administration.

5 §822. Sale

6 Notwithstanding any other provision law, if any
7 real estate, including any building, is to be dis-
8 posed of by the State through sale, other than a sale
9 or exchange of land which is part of a transaction
10 which involves acquisition of land by the State in
11 exchange for the real estate being sold, the sale
12 shall be conducted by the Department of Finance and
13 Administration in accordance with this chapter.

14 §823. To whom real estate is to be offered

15 The department shall offer the real estate to the
16 following entities or persons in the following order.

17 1. Municipality. If the real estate is located
18 within a municipality, the department shall offer to
19 sell the real estate to the municipality at a price
20 equal to at least 25% of the appraised value of the
21 real estate.

22 2. County. The department shall offer to sell
23 the real estate to the county in which the real es-
24 tate is located at a price equal to at least 25% of
25 the appraised value of the real estate.

26 3. Abuttor. The department shall offer to sell
27 the real estate to any person owning land which abuts
28 the real estate at a price to be agreed upon by the
29 parties.

30 4. Bid. The department may sell the real estate
31 to any other person by means of a competitive bid
32 process.

33 §824. Use of real estate sold to municipality or
34 county

35 Any deed conveying real estate sold to a munici-
36 pality or county pursuant to this chapter shall con-

1 tain a provision limiting the use of the real estate
2 to a public purpose. The deed shall provide that if
3 the real estate ceases to be used for a public pur-
4 pose it shall revert to the State.

5 §825. Rules

6 The commissioner may, in accordance with the
7 Maine Administrative Procedure Act, Title 5, chapter
8 375, promulgate rules to carry out the purposes of
9 this chapter.

10

STATEMENT OF FACT

11 The purpose of this bill is to establish a uni-
12 form procedure for the sale of state-owned real es-
13 tate.

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