

# MAINE STATE LEGISLATURE

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1 (New Draft of H.P. 493, L.D. 696)  
2 (New Title)  
3 FIRST REGULAR SESSION  
4

5 ONE HUNDRED AND TWELFTH LEGISLATURE  
6

7 Legislative Document

No. 1510

8  
9 H.P. 1036

House of Representatives, May 10, 1985

10 Reported by Representative Gwadosky from the Committee on State  
11 Government and printed under Joint Rule 2. Original bill sponsored by  
Representative Bonney of Falmouth.

12 EDWIN H. PERT, Clerk

13  
14 STATE OF MAINE  
15

16 IN THE YEAR OF OUR LORD  
17 NINETEEN HUNDRED AND EIGHTY-FIVE  
18

19 AN ACT Authorizing State Employees to  
20 Purchase State Property Upon  
21 Retirement or Leaving Office.  
22

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

25 Sec. 1. 5 MRSA c. 1, first 3 lines, are repealed  
26 and the following enacted in their place:

27 CHAPTER 1

28 STATE OFFICERS AND EMPLOYEES  
29 GENERALLY

30 SUBCHAPTER 1

31 GENERAL PROVISIONS

32 Sec. 2. 5 MRSA c. 1, sub-c. II is enacted to  
33 read:

1 SUBCHAPTER II

2 STATE EMPLOYEES AND STATE PROPERTY

3 §31. Definitions

4 As used in this subchapter, unless the context  
5 indicates otherwise, the following terms have the  
6 following meanings.

7 1. Employee of this State. "Employee of this  
8 State" means an employee in the classified or unclas-  
9 sified service as defined in chapters 57 and 71.

10 2. State property. "State property" means real  
11 and tangible property, including but not limited to,  
12 land, buildings, machinery, equipment, furnishings  
13 and supplies which are owned or leased by or in the  
14 control of the State or any department or agency of  
15 the State or independent state agency.

16 §32. Acquisition of state property

17 No employee of this State may take state property  
18 for personal use or for the use of others off the  
19 premises of the State. Upon leaving office or employ-  
20 ment with the State, an employee of this State, in  
21 accordance with procedures established by the Commis-  
22 sioner of Finance and Administration, may purchase at  
23 fair market value, state property which was assigned  
24 to him to carry out his duties or of which he was the  
25 principal user at the time of his employment. Nothing  
26 in this section shall be interpreted to prohibit an  
27 employee of this State or any other person from pur-  
28 chasing state property at fair market value in ac-  
29 cordance with the procedures of the Commissioner of  
30 Finance and Administration, as a gift to an employee  
31 of this State upon his retirement or leaving office.

32 Any person who violates the provisions of this  
33 chapter shall be subject to the penalties set out in  
34 Title 17-A, section 362.

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STATEMENT OF FACT

2           The purpose of this new draft is to enable state  
3 employees or state officials, upon retirement or  
4 leaving state employment, to purchase state property  
5 at fair market value as a memento of their years of  
6 service in employment of the State. In addition,  
7 state employees or other persons may purchase at fair  
8 market value state property used by a state employee  
9 as a gift to that employee upon his retirement or  
10 leaving employment. Any person taking state property  
11 in violation of the law is subject to the Criminal  
12 Code.

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