

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 396

S.P. 117

In Senate, January 23, 1997

An Act to Allow the Maine Forest Service to Retain Funds from the Sale of Real Estate.

Submitted by the Department of Conservation pursuant to Joint Rule 204.
Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator KILKELLY of Lincoln.
Cosponsored by Representative KNEELAND of Easton and
Senators: KIEFFER of Aroostook, PARADIS of Aroostook, Representatives: CLARK of
Millinocket, DEXTER of Kingfield, O'NEAL of Limestone, PINKHAM of Lamoine, SPEAR
of Nobleboro.

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

2
335, §1, is further amended to read:

6 M. ~~The Except for lands acquired under the authority of~~
7 ~~paragraph N, the director is authorized, with the consent of~~
8 ~~the commissioner, to sell, grant, lease, transfer or~~
9 ~~otherwise convey any real or personal property under the~~
10 ~~jurisdiction of the bureau. The director shall deposit the~~
11 ~~proceeds from the sale or lease of property purchased with~~
12 ~~Maine Forestry District tax funds in Forest Fire Control~~
13 ~~Accounts. This authority does not apply to lands acquired~~
14 ~~under the authority of paragraph N. Property at the state~~
15 ~~nursery may be sold for agricultural or forestry purposes if~~
16 ~~surplus to the needs of the nursery and the proceeds are~~
17 ~~retained by the Maine Forest Service. The bureau shall~~
18 ~~transfer the low level radioactive waste site on the state~~
19 ~~nursery property, along with appropriate buffers and access,~~
20 ~~to the University of Maine and the University of Maine shall~~
21 ~~accept the transfer. At least 60 days prior to offering any~~
22 ~~surplus property for sale under this paragraph, the director~~
23 ~~shall notify the Executive Director of the Legislative~~
24 ~~Council and the joint standing committee of the Legislature~~
25 ~~having jurisdiction over natural forest resources of the~~
26 ~~director's intent to sell the property.~~

28 Sec. 2. 12 MRSA §8003, sub-§3, ¶M-1 is enacted to read:

30 M-1. The proceeds under paragraph M may be used only to
31 upgrade existing structures owned by the Division of Forest
32 Fire Control, to consolidate operations of the division
33 through the improvement, repair, replacement, purchase or
34 construction of structures and to purchase land upon which
35 to build structures. Ownership of any land purchased under
36 this paragraph or structures purchased or constructed under
37 this paragraph must be held in the name of the division.
38 Ownership of land or property purchased under this paragraph
39 may also be held in the name of the Bureau of General
40 Services when the division participates in the consolidation
41 of facilities with other state agencies. Any purchase of
42 land or a structure pursuant to this paragraph must be
43 approved by the Director of the Bureau of General Services.

46 SUMMARY

48 This bill authorizes the Director of the Bureau of Forestry
49 to use the proceeds from the sale or lease of any bureau
50 property, except for state forests and natural areas, to upgrade

2 existing structures owned by the Division of Forest Fire Control,
3 to consolidate operations of the division through the
4 improvement, repair, replacement, purchase or construction of
5 structures and to purchase land upon which to build structures.
6 It also requires that any land purchased and any structures
7 purchased or constructed be held in the division's name. The
8 exception is that the bureau may participate in joint efforts to
9 consolidate a facility with other agencies provided that the
10 Bureau of General Services has ownership of the property or
11 structure. In addition, the bill places a requirement that all
12 purchases of land or structures be approved by the Bureau of
13 General Services, which has statewide oversight of state
14 facilities.

15
16 This bill also changes a reference to the committee to which
17 the Director of the Bureau of Forestry must report before
18 offering surplus property for sale. The reference is changed
19 from the joint standing committee of the Legislature having
20 jurisdiction over natural resources to the joint standing
21 committee of the Legislature having jurisdiction over forest
22 resources.

23
24 Finally, this bill eliminates obsolete references to the
25 sale of property at the state nursery and to the transfer of the
26 low-level radioactive waste site on the state nursery property.
Both of these actions have already taken place.