

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1220

H.P. 906

House of Representatives, February 28, 2001

An Act to Require Notice of Use Changes for State Property.

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

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative TRAHAN of Waldoboro.
Cosponsored by Senator MILLS of Somerset and
Representatives: BOWLES of Sanford, FOSTER of Gray, GOOLEY of Farmington,
MacDOUGALL of North Berwick, SNOWE-MELLO of Poland, TRACY of Rome, Senators:
KILKELLY of Lincoln, SAVAGE of Knox.

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

4 Sec. 1. 5 MRSA §56 is enacted to read:

6 **§56. Change of use; state property**

8 1. Definitions. As used in this section, unless the
context otherwise indicates, the following terms have the
following meanings.

10 A. "State agency" has the same meaning as "agency" under
12 section 43, first paragraph.

14 B. "State property" means: real property, including
structures on the property owned by the State; rights-of-way
16 claimed or owned by the State; and real property, including
structures on the property, leased for 5 or more years by
18 the State. "State property" does not include property
covered under the Constitution of Maine, Article IX, Section
20 23.

22 2. Duty to provide notice. A state agency that proposes to
change all or part of its use of state property shall publish a
24 notice detailing the proposed change in a newspaper of general
circulation in the area where the state property is located. The
26 notice must be published at least 30 days before the change may
be deemed authorized.

28 3. Petition; change prohibited; legislation required. If,
30 within the 30-day period required under subsection 2, 25 or more
state residents petition the state agency to challenge the
32 proposed change in use, the state agency may not change the use
of the state property unless the Legislature approves the change
34 by law.

36 **SUMMARY**

38 This bill requires an agency of the State to publish a
40 notice when it proposes to change all or part of its use of any
42 real property owned by the State or subject to a long-term lease
or right-of-way claim by the State. If 25 or more residents
petition the agency during the 30-day notice period, the proposed
44 change is prohibited unless the Legislature approves the change
by law.