

# MAINE STATE LEGISLATURE

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Date: 4-5-12

MAJORITY

(Filing No. S-527)

STATE AND LOCAL GOVERNMENT

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STATE OF MAINE

SENATE

125TH LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 678, L.D. 1904, Bill, "An Act To Create the Leased Space Reserve Fund and To Amend the Law Regarding the Issuance of Securities under the Maine Governmental Facilities Authority"

Amend the bill by striking out the title and substituting the following:

**'An Act To Create the Leased Space Reserve Fund and To Amend the Law Regarding the Issuance of Securities under the Maine Governmental Facilities Authority and To Provide for the Transfer of Certain Land'**

Amend the bill by striking out all of section 5 and inserting the following:

**'Sec. 5. Authority to convey state property.** Notwithstanding any other provision of law, the State, by and through the Commissioner of Administrative and Financial Services, referred to in this section as "the commissioner," may:

**1. Conveyance of land.** Convey by sale to Bangor Hydro Electric Company, a Maine corporation with its principal place of business in Bangor, Maine, and its successors and assigns, a parcel of land no more than 2 acres in size, in the general location of the southwest corner of state-owned land, that is currently part of the Dorothea Dix Psychiatric Center, depicted on the City of Bangor Tax Map R-63, Lot 8 and recorded in the Penobscot County Registry of Deeds. The amount of land and the boundary of the property sold pursuant to this section must be determined by the commissioner, in the commissioner's sole discretion, to be in the best interests of the State;

**2. Easements and other rights.** Negotiate, draft, execute and deliver any easements or other rights that, in the commissioner's discretion, may contribute to the value of a proposed sale of the State's interests, including access rights allowing for the construction of a road to allow ingress and egress for workers and equipment of the transferee to the parcel of land to be conveyed under subsection 1 and an increase in the scope or width of a transmission line easement running along the westerly boundary of the property by virtue of an easement granted by the State in Book 1423, Page 12 in the Penobscot County Registry of Deeds; and

**COMMITTEE AMENDMENT**

1           **3. Sale agreement; conditions.** Negotiate and execute a purchase and sale  
2 agreement upon such terms and conditions the commissioner considers appropriate and  
3 draft, execute and deliver any documents necessary to effect the sale of the property. The  
4 property must be conveyed "as is" with no representations or warranties. Title to the  
5 property must be transferred by quitclaim deed without covenants and executed by the  
6 commissioner.

7           Any sale pursuant to this section is exempt from any statutory or regulatory  
8 requirement that the property described in subsection 1 first be offered to the Maine State  
9 Housing Authority or another state or local agency.

10           Any proceeds from a sale pursuant to this section must be deposited into the  
11 Department of Administrative and Financial Services, Bureau of General Services capital  
12 repair and improvement account for capital improvements as designated by the  
13 commissioner.

14           **Sec. 6. Repeal.** Section 5 is repealed one year from its effective date unless a sale  
15 agreement under section 5, subsection 3 has been entered into prior to that date.

16           **Sec. 7. Appropriations and allocations.** The following appropriations and  
17 allocations are made.

18           **ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

19           **Leased Space Reserve Fund Program N139**

20 Initiative: Provides funding to establish a baseline allocation for costs related to  
21 relocation and capital projects that construct, renovate or improve state facilities.

22	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
23	All Other	\$0	\$500
24			
25	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>\$500</u>
26			

27           Amend the bill by relettering or renumbering any nonconsecutive Part letter or  
28 section number to read consecutively.

29           **SUMMARY**

30           This amendment, which is the majority report of the committee, adds to the bill  
31 authority for the Commissioner of Administrative and Financial Services to convey by  
32 sale a piece of property including easements and other access rights that is currently part  
33 of the Dorothea Dix Psychiatric Center to the Bangor Hydro Electric Company, as long  
34 as the amount of land to be sold and its boundary are determined to be in the best interests  
35 of the State. This amendment also replaces the bill's appropriations and allocations  
36 section.

37           **FISCAL NOTE REQUIRED**

38           (See attached)



# 125th MAINE LEGISLATURE

LD 1904

LR 2863(02)

## An Act To Create the Leased Space Reserve Fund and To Amend the Law Regarding the Issuance of Securities under the Maine Governmental Facilities Authority

Fiscal Note for Bill as Amended by Committee Amendment "A" S-527

Committee: State and Local Government

Fiscal Note Required: Yes

### Fiscal Note

Potential current biennium cost increase - General Fund  
 Potential current biennium revenue increase - General Fund  
 Potential current biennium revenue increase - Other Special Revenue Funds

	FY 2011-12	FY 2012-13	Projections FY 2013-14	Projections FY 2014-15
<b>Appropriations/Allocations</b>				
Other Special Revenue Funds	\$0	\$500	\$500	\$500

#### Fiscal Detail and Notes

Authorizing the use of existing authority to issue securities under the Maine Governmental Facilities Authority will increase General Fund debt service costs, including debt service on the Sewall Street properties. The amount can not be determined at this time and will depend on the amount and timing of the issuance. This bill includes a \$500 Other Special Revenue Funds allocation in fiscal year 2012-13 to establish the Leased Space Reserve Fund Program within the Department of Administrative and Financial Services to be supported by one half of the identified leased space savings. This bill may also increase General Fund resources since the other half of identified savings must be transferred to unappropriated surplus. The Department of Administrative and Financial Services may also experience an increase in Other Special Revenue Funds if the Bangor property is sold to Bangor Hydro Electric Company. The amount cannot be estimated at this time.