

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

SMG
R OF S

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

L.D. 1456

Date: 3/2/16

(Filing No. S-377)

STATE AND LOCAL GOVERNMENT

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

127TH LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT “**A**” to S.P. 558, L.D. 1456, “Resolve, Authorizing the Commissioner of Administrative and Financial Services To Convey Approximately 0.75 Acre of Land in Madrid Township to the Madrid Historical Society”

Amend the resolve by striking out everything after the title and before the summary and inserting the following:

Sec. 1. Definitions. Resolved: That, as used in this resolve, the following terms have the following meanings.

1. "Commissioner" means the Commissioner of Administrative and Financial Services.

2. "State property" means the real estate described in section 3 with any buildings and improvements, together with all appurtenant rights and easements, and all personal property located on that property; and be it further

Sec. 2. Authority to convey property. Resolved: That, notwithstanding any other provision of law, the State, by and through the commissioner, is authorized to convey the interest of the State in state property to the Madrid Historical Society, a duly organized nonprofit corporation; and be it further

Sec. 3. Property interests that may be conveyed. Resolved: That the state property subject to transfer is described as follows:

A certain parcel of land of 0.75 acre, more or less, depicted as "Land to Be Acquired by the Madrid Historical Society" on a "Survey Plan for Madrid Historical Society" dated May 19, 2015 by Acme Land Surveying, LLC, Farmington, Maine, situated on the westerly side of Reeds Mill Road, bounded on the north by land now or formerly of Louie and Donna Barker, bounded on the west by the thread of Pease Stream and further depicted on the May 19, 2015 survey plan, the parcel having been acquired by the Town of Madrid in a deed of March 23, 1936 recorded in Franklin County Registry of Deeds in Book 257, Page 227 and abutting the parcel that was conveyed to the Madrid Historical Society by deed of June 21, 2000 recorded in Franklin County Registry of Deeds in Book 1937, Page 239. The title of the state property subject to transfer was acquired by the

COMMITTEE AMENDMENT

1 State upon the deorganization of the Town of Madrid, as authorized by Private and
2 Special Law 1999, chapter 31; and be it further

3 **Sec. 4. Property to be sold as is. Resolved:** That the commissioner may
4 negotiate and execute purchase and sale agreements upon terms the commissioner
5 considers appropriate, but the state property must be sold "as is," with no representations
6 or warranties.

7 Title must be transferred by quitclaim deed without covenant or release deed and
8 must be executed by the commissioner; and be it further

9 **Sec. 5. Exemptions. Resolved:** That any conveyance pursuant to this resolve is
10 exempt from any statutory or regulatory requirement that the state property first be
11 offered to the Maine State Housing Authority or another state or local agency or be
12 offered through competitive bidding; and be it further

13 **Sec. 6. Proceeds. Resolved:** That any proceeds from a sale pursuant to this
14 resolve must be deposited in the Unorganized Territory Education and Services Fund
15 created in the Maine Revised Statutes, Title 36, section 1605, subsection 1; and be it
16 further

17 **Sec. 7. Repeal. Resolved:** That this resolve is repealed 5 years after its effective
18 date.'

19 **SUMMARY**

20 This amendment retains the substance of the resolve and adds the following
21 provisions.

- 22 1. It defines "state property" and "commissioner" for the purposes of the resolve.
- 23 2. It makes a clarification regarding the ownership of a parcel of land abutting the
24 parcel to be sold.
- 25 3. It clarifies that the State acquired the parcel of land upon the deorganization of the
26 Town of Madrid.
- 27 4. It authorizes the Commissioner of Administrative and Financial Services to
28 negotiate and execute purchase and sale agreements and provides that the title of the
29 property must be transferred from the State by quitclaim deed without covenant or release
30 deed to the Madrid Historical Society.
- 31 5. It exempts the transfer from any statutory or regulatory requirement that the
32 property be offered to a state or local agency or offered through competitive bidding.
- 33 6. It specifies that any proceeds from a sale must be deposited in the Unorganized
34 Territory Education and Services Fund.
- 35 7. It provides that the resolve is repealed 5 years after its effective date.

FISCAL NOTE REQUIRED
(See attached)



127th MAINE LEGISLATURE

LD 1456

LR 2208(02)

**Resolve, Authorizing the Commissioner of Administrative and Financial Services To Convey
Approximately 0.75 Acre of Land in Madrid Township to the Madrid Historical Society**

**Fiscal Note for Bill as Amended by Committee Amendment "A" (S-377)
Committee: State and Local Government
Fiscal Note Required: Yes**

Fiscal Note

Current biennium revenue increase - Other Special Revenue Funds

Fiscal Detail and Notes

This resolve authorizes the Commissioner of Administrative and Financial Services to convey the interest of the State in state property acquired upon the deorganization of the Town of Madrid. The funds received as a result of the sale will accrue as dedicated revenue to the Unorganized Territory Education and Services Fund. The amount received from the sale will depend on the sale price and cannot be estimated at this time.