

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 648

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H.P. 462

House of Representatives, February 28, 2017

**An Act To Expand the Types of Nonprofit Organizations to Which  
Surplus Property May Be Sold by the State**

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative GRANT of Gardiner.  
Cosponsored by Senator BELLOWS of Kennebec and  
Representatives: BEEBE-CENTER of Rockland, BRYANT of Windham, HARRINGTON of  
Sanford, JORGENSEN of Portland, MARTIN of Sinclair.

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

2 **Sec. 1. 5 MRSA §1828, sub-§1, ¶B**, as amended by PL 2011, c. 9, §1, is further  
3 amended to read:

4 B. "Qualifying nonprofit organization" means:

5 (1) A public or private nonprofit entity that owns or operates a project or facility  
6 for the homeless; or

7 ~~(2) A nonprofit organization that has been determined to be exempt from~~  
8 ~~taxation under the United States Internal Revenue Code, Section 501(e) and that~~  
9 ~~provides services to persons with physical or mental handicaps as defined in~~  
10 ~~section 4553, subsection 7-A;~~

11 ~~(3) A nonprofit organization that has been determined to be exempt from~~  
12 ~~taxation under the United States Internal Revenue Code, Section 501(e) and that~~  
13 ~~contracts with the Department of Health and Human Services to provide vehicles~~  
14 ~~to low income families to assist them in participating in work, education or~~  
15 ~~training; or~~

16 ~~(4) A nonprofit organization that has been determined to be exempt from~~  
17 ~~taxation under the United States Internal Revenue Code, Section 501(e) and that~~  
18 ~~houses animals and operates for the purpose of providing stray, abandoned,~~  
19 ~~abused or owner surrendered animals with sanctuary or finding the animals~~  
20 ~~temporary or permanent adoptive homes.~~

21 (5) A nonprofit organization that has been determined to be exempt from  
22 taxation under the United States Internal Revenue Code of 1986, Section 501(c).

23 **Sec. 2. 5 MRSA §1828, sub-§2**, as amended by PL 2011, c. 9, §2, is further  
24 amended to read:

25 **2. Surplus property.** Pursuant to this chapter and rules adopted under section 1813,  
26 the Department of Administrative and Financial Services through the Bureau of General  
27 Services shall allow private sales of surplus property to:

28 ~~A. Nonprofit organizations that contract with the Department of Health and Human~~  
29 ~~Services to provide affordable vehicles to low income families to assist them in~~  
30 ~~participating in work, education or training;~~

31 B. Homeless shelter sponsors;

32 C. Educational institutions; and

33 ~~D. Nonprofit organizations that house animals and operate for the purpose of~~  
34 ~~providing stray, abandoned, abused or owner surrendered animals with sanctuary or~~  
35 ~~finding the animals temporary or permanent adoptive homes.~~

36 E. Nonprofit organizations that have been determined to be exempt from taxation  
37 under the United States Internal Revenue Code of 1986, Section 501(c).

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## **SUMMARY**

This bill amends the law regarding sales of government surplus property to expand the types of nonprofit organizations that must be given an opportunity to purchase government surplus property through private sales.