

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1300

H.P. 943

House of Representatives, March 19, 2019

**Resolve, To Transfer the Guilford Butler School Property to the
Town of South Thomaston**

(EMERGENCY)

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 MATLACK of St. George.
Cosponsored by Senator MIRAMANT of Knox and
Representatives: BEEBE-CENTER of Rockland, EVANGELOS of Friendship, HUBBELL of
Bar Harbor, HUTCHINS of Penobscot, TIPPING of Orono.

1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** officials of the Town of South Thomaston have expressed a desire that the
4 property transaction described in this legislation be executed as soon as possible, as a
5 determination on the disposition of the building on the property must soon be made; and

6 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
7 the meaning of the Constitution of Maine and require the following legislation as
8 immediately necessary for the preservation of the public peace, health and safety; now,
9 therefore, be it

10 **Sec. 1. Definitions. Resolved:** That, as used in this resolve, unless the context
11 otherwise indicates, the following terms have the following meanings.

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

14 2. "State property" means the real estate described in section 3 with the buildings and
15 improvements, together with all appurtenant rights and easements, and all personal
16 property located on that property, including vehicles, machinery, equipment and supplies.

17 **Sec. 2. Authority to convey state property. Resolved:** That, notwithstanding
18 any other law, the State, by and through the commissioner, may:

19 1. Convey the interests of the State in the state property to the Town of South
20 Thomaston;

21 2. Negotiate, draft, execute and deliver any documents necessary to settle any
22 boundary line discrepancies;

23 3. Exercise, pursuant to the Maine Revised Statutes, Title 23, chapter 3, the power of
24 eminent domain to quiet for all time any possible challenges to ownership of the state
25 property;

26 4. Negotiate, draft, execute and deliver any easements or other rights that, in the
27 commissioner's discretion, may contribute to the value of a proposed conveyance of the
28 State's interests; and

29 5. Release any interests in the state property that, in the commissioner's discretion,
30 do not contribute to the value of the remaining state property.

31 **Sec. 3. Property interests that may be conveyed. Resolved:** That the state
32 property authorized to be conveyed is a parcel of land described in a deed dated June 14,
33 1954 from Amos Makinen of South Thomaston to the Maine School Building Authority,
34 recorded in Book 336, Page 135, Knox County Registry of Deeds.

35 **Sec. 4. Property to be conveyed "as is." Resolved:** That the commissioner
36 may convey the state property without consideration upon terms the commissioner

1 considers appropriate; however, the state property must be conveyed "as is," with no
2 representations or warranties.

3 Title must be transferred by quitclaim deed without covenant and executed by the
4 commissioner.

5 **Sec. 5. Exemptions. Resolved:** That any conveyance pursuant to this resolve is
6 exempt from any statutory or regulatory requirement that the state property first be
7 offered to the Maine State Housing Authority or another state or local agency.

8 **Sec. 6. Repeal. Resolved:** That this resolve is repealed 5 years from its effective
9 date.

10 **Emergency clause.** In view of the emergency cited in the preamble, this
11 legislation takes effect when approved.

12 **SUMMARY**

13 This resolve authorizes the State to transfer ownership of the Guilford Butler School
14 property in South Thomaston to the Town of South Thomaston.