

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

SECOND REGULAR SESSION-2024

Legislative Document

No. 2277

H.P. 1464

House of Representatives, March 25, 2024

Resolve, Authorizing the Commissioner of Administrative and Financial Services to Convey by Sale the Interests of the State in 3 Properties Located in Biddeford, Sanford and York

Reference to the Joint Select Committee on Housing suggested and ordered printed.

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

ROBERT B. HUNT
Clerk

Presented by Representative GERE of Kennebunkport. (GOVERNOR'S BILL)
Cosponsored by Senator PIERCE of Cumberland and
Representatives: MALON of Biddeford, MASTRACCIO of Sanford, RUNTE of York,
SARGENT of York, SHEEHAN of Biddeford, STOVER of Boothbay, Senator: VITELLI of
Sagadahoc.

1 **Sec. 1. Authority to convey state property. Resolved:** That, notwithstanding
2 any provision of law to the contrary, the State, by and through the Commissioner of
3 Administrative and Financial Services, referred to in this resolve as "the commissioner,"
4 may:

5 1. Convey by sale all or a portion of the State's interests in the 3 parcels of state
6 property described in section 2, together with the buildings and improvements, all
7 appurtenant rights and easements and all personal property located on each of the parcels,
8 including vehicles, machinery, equipment and supplies;

9 2. Negotiate, draft, execute and deliver any documents necessary to settle any
10 boundary line discrepancies regarding the state property described in section 2;

11 3. Exercise, pursuant to the Maine Revised Statutes, Title 23, chapter 3, subchapter 3,
12 the power of eminent domain to quiet for all time any possible challenges to ownership of
13 the state property described in section 2;

14 4. Negotiate, draft, execute and deliver any easements or other rights that, in the
15 commissioner's discretion, may contribute to the value of a proposed sale of the State's
16 interests in any of the state property described in section 2; and

17 5. Release any interests in the state property described in section 2 that, in the
18 commissioner's discretion, do not contribute to the value of any remaining state property
19 described in section 2.

20 The 3 parcels comprising the state property described in section 2 may be conveyed by
21 sale individually or collectively, in the commissioner's discretion.

22 **Sec. 2. Property interests that may be conveyed. Resolved:** That the state
23 property authorized to be sold is:

24 1. A parcel or parcels of land, located between Washington and Adams Streets in the
25 City of Biddeford, conveyed by the Maine Governmental Facilities Authority to the State,
26 acting by and through the judicial branch, by quitclaim deed recorded in the York County
27 Registry of Deeds, Book 18544, Page 272;

28 2. A parcel or parcels of land, located in Springvale Village in the City of Sanford,
29 conveyed by the Maine Governmental Facilities Authority to the State, acting by and
30 through the judicial branch, by quitclaim deed recorded in the York County Registry of
31 Deeds, Book 19242, Page 906; and

32 3. A parcel or parcels of land, located in the Town of York, conveyed by the Maine
33 Governmental Facilities Authority to the State, acting by and through the judicial branch,
34 by quitclaim deed recorded in the York County Registry of Deeds, Book 18544, Page 275.

35 **Sec. 3. Property to be sold "as is". Resolved:** That the commissioner may
36 negotiate and execute purchase and sale agreements upon terms the commissioner
37 considers appropriate; however, the state property described in section 2 must be sold "as
38 is," with no representations or warranties. Title must be transferred by quitclaim deed
39 without covenant or release deed and executed by the commissioner.

40 **Sec. 4. Maine State Housing Authority or local public housing authority.**
41 **Resolved:** That disposition of the state property described in section 2 must follow the
42 provisions of the Maine Revised Statutes, Title 30-A, section 4754-A. If neither the Maine

1 State Housing Authority nor a local public housing authority exercises the option to
2 purchase one or more of the parcels comprising the state property for residential housing,
3 it must be sold pursuant to section 5.

4 **Sec. 5. Opinion of value. Resolved:** That, if the state property described in section
5 2 is not conveyed to the Maine State Housing Authority or one or more local public housing
6 authorities for residential housing pursuant to section 4, the commissioner shall have the
7 current market value of the state property described in section 2 determined by a broker
8 opinion of value and current comparative market analysis. The commissioner may sell the
9 state property described in section 2 directly to a purchaser through a competitive process,
10 list the state property for sale with a private real estate broker or engage an auction company
11 to solicit bids. After evaluating bids or offers, the commissioner may either negotiate the
12 terms of sale, executing deeds and other closing documentation or reject any or all bids or
13 offers.

14 **Sec. 6. Proceeds. Resolved:** That any proceeds from the sale of the state property
15 described in section 2 must be deposited into the Department of Administrative and
16 Financial Services, Bureau of General Services capital repair and improvement account for
17 capital improvements.

18 **Sec. 7. Deed covenants. Resolved:** That, if the state property described in section
19 2 or any portion is transferred to the Maine State Housing Authority or a local public
20 housing authority for residential housing pursuant to section 4, the Maine State Housing
21 Authority or a local public housing authority shall ensure that it is used for that purpose for
22 a minimum of 10 years.

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

25 SUMMARY

26 This resolve authorizes the Commissioner of Administrative and Financial Services to
27 convey the State's interests in 3 former courthouses located in the City of Biddeford, the
28 City of Sanford and the Town of York, pursuant to the procedures set out in the Maine
29 Revised Statutes, Title 30-A, section 4754-A, for use as residential housing. However, if
30 any of the 3 parcels comprising the state property is not transferred to the Maine State
31 Housing Authority or a local public housing authority for residential housing under an
32 option to purchase, it is required to be sold using a competitive process via sale or auction.