

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTIETH LEGISLATURE
FIRST REGULAR SESSION
December 6, 2000 to June 22, 2001

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 21, 2001

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
2001

Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective June 19, 2001.

CHAPTER 59

H.P. 1370 - L.D. 1827

Resolve, Directing the Department of Economic and Community Development to Study the Designation of Tourism Regions

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

Whereas, the 8 tourism regions that have been designated by the tourism industry to promote tourism in the State may not adequately reflect the unique economic and cultural differences of certain areas of the State; and

Whereas, these unique areas of the State, such as the St. John Valley, the Downeast region and the so-called "River Valley," may benefit economically from an industry designation as a tourism region; and

Whereas, the establishment of a dedicated source of revenue to fund the Office of Tourism within the Department of Economic and Community Development would provide substantial additional funds to the office to distribute annually to organizations within the tourism regions to assist with the tourism promotion efforts of their respective regions; and

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

Sec. 1. Department of Economic and Community Development directed to study the designation of tourism regions. Resolved: That the Department of Economic and Community Development shall study expanding the number of industry-designated tourism regions in the State to reflect the unique cultural attributes and economic needs of various areas of the State. In studying the current tourism region designations, the department shall consult with representatives of the tourism industry. The department shall report its findings and recommendations to the Joint Standing Committee on

Business and Economic Development before December 31, 2001.

Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective June 19, 2001.

CHAPTER 60

S.P. 338 - L.D. 1145

Resolve, Authorizing the Commissioner of Administrative and Financial Services to Sell or Lease the Interests of the State in the Jacob Abbott House Property Located at the Stevens School Campus in Hallowell

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

1. "Commissioner" means the Commissioner of Administrative and Financial Services.
2. "State property" means the real and personal property described in section 3 of this resolve; and be it further

Sec. 2. Authority to convey property. Resolved: That the State, by and through the commissioner, may:

1. Lease, sell or transfer the interests of the State in the state property;
2. Negotiate, draft, execute and deliver any documents necessary to settle any boundary line discrepancies;
3. Exercise the power of eminent domain to quiet for all time any possible challenges to ownership of the state property;
4. Negotiate, draft, execute and deliver any easements, including historic preservation easements, or other rights that, in the commissioner's discretion, may contribute to the value of a proposed sale or lease of the State's interest; and
5. Release any interests in the state property that, in the commissioner's discretion, do not contribute to the value of the remaining state property; and be it further

Sec. 3. Property interests that may be conveyed. Resolved: That the state property authorized to be sold, leased or transferred is the Jacob

Abbott House, so-called, also known as 61 Winthrop Street, Hallowell, depicted as building number 13 on the Augusta State Facilities Master Plan, Building Location Map - Stevens School Campus.

The property described in this section must be conveyed or leased with a suitable amount of land, as determined by the commissioner, as may be appropriate to its intended use, together with appropriate rights of access, including access by pedestrians, vehicles and utilities.

The state property may be sold, in whole or in part, at the discretion of the commissioner, subject to such permits or approvals as may be required by law; and be it further

Sec. 4. Property to be sold as is. Resolved: That the commissioner may negotiate and execute leases and purchase and sale agreements upon those terms the commissioner considers appropriate; however, the state property must be sold as is, without any representations or warranties.

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

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

Sec. 6. Purchase price. Resolved: That the commissioner shall have the current market value of the Jacob Abbott House determined by an independent appraiser. The commissioner may list the property for sale or lease with private real estate brokers at its appraised value and negotiate sales or leases, solicit bids, sell directly to purchasers or enter directly into leases with tenants. The commissioner may reject any offers.

The commissioner shall establish the rent or purchase price and the terms of lease or sale.

If the commissioner elects to solicit bids, the commissioner shall publish notices of sale sufficient to advertise the property. The commissioner may reject any bids; and be it further

Sec. 7. Proceeds. Resolved: That any proceeds from the sale of the state property must be deposited in the Bureau of General Services - Capital Construction and Improvements Reserve Fund to be used for the renovation, construction, expansion, abatement or demolition of structures at the Stevens School Campus in Hallowell; and be it further

Sec. 8. Repeal. Resolved: That this resolve is repealed 3 years from its effective date.

See title page for effective date.

CHAPTER 61

S.P. 615 - L.D. 1795

Resolve, Authorizing the Commissioner of Administrative and Financial Services to Convey by Sale or Lease to the Warren Sanitary District the State's Interests in Certain Real Property in the Town of Warren in Connection with the Construction of the Maine State Prison at Warren

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

1. "Commissioner" means the Commissioner of Administrative and Financial Services.
2. "State property" means the real and personal property described in this resolve; and be it further

Sec. 2. Authority to convey property. Resolved: That the State, by and through the commissioner, may:

1. Lease or sell the interests of the State in the state property pursuant to section 3 of this resolve;
2. Negotiate, draft, execute and deliver any documents necessary to settle any boundary line discrepancies;
3. Exercise the power of eminent domain to quiet for all time any possible challenges to ownership of the state property;
4. 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 or lease of the State's interest; and
5. Release any interests in the state property that, in the commissioner's discretion, do not contribute to the value of the remaining state property; and be it further

Sec. 3. Property interests that may be conveyed. Resolved: That the State is authorized to sell or lease a portion, not to exceed 3 acres, of existing property of the Bolduc Correctional Facility, also known as the prison farm, located on the westerly side of the St. George River in Warren, Maine.