

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

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.

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, except that 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 executed 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 obtain the current market value of the state property as determined by an independent appraiser. The commissioner may negotiate the sale prices or leases, sell directly to Warren Sanitary District 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; and be it further

Sec. 7. Proceeds. Resolved: That any proceeds from the sale of property must be deposited in the Capital Construction and Improvements Reserve Fund established in the Maine Revised Statutes, Title 5, section 1516-A to be used for the construction or expansion of facilities or utilities at the Maine State Prison at Warren; 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 62

H.P. 856 - L.D. 1128

Resolve, Directing the Department of Corrections to Include in its Plan for a Long-term Care or Hospice Facility Administered by the Department of Corrections Resources and Costs Necessary to Provide Long-term or Hospice Care to County Jail Inmates and Presentence Detainees

Sec. 1. Department of Corrections directive. Resolved: That, when the Department of Corrections develops its plan for building and

administering a long-term care or hospice facility for the treatment of prisoners, the department also shall include a break out in that plan of the resources and costs of providing long-term and hospice care to county jail inmates and presentence detainees held in county jails.

See title page for effective date.

CHAPTER 63

H.P. 777 - L.D. 1021

Resolve, Extending the Reporting Deadline for the Maine Millennium Commission on Hunger and Food Security

Sec. 1. Resolve 1997, c. 117, §1, sub-§6, amended. Resolved: That Resolve 1997, c. 117, §1, sub-§6, as amended by PL 1999, c. 127, Pt. D, §7, is further amended to read:

6. Report. The commission shall submit a an interim report, together with any necessary implementing legislation, to the First Regular Session of the 120th Legislature by December 15, 2000 and a final report, together with any necessary legislation, to the Second Regular Session of the 120th Legislature by December 5, 2001.

See title page for effective date.

CHAPTER 64

H.P. 1395 - L.D. 1831

Resolve, to Name the Bridge Between Gardiner and Randolph the Pearl Harbor Remembrance Bridge

Sec. 1. Pearl Harbor Remembrance Bridge. Resolved: That the bridge between Gardiner and Randolph be named the Pearl Harbor Remembrance Bridge.

See title page for effective date.

CHAPTER 65

H.P. 1085 - L.D. 1454

Resolve, to Study the Implementation of a Unified Emergency Response for Emergency Releases and Spills of Toxic or Hazardous Materials