

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out the title and substituting the following:

'An Act To Create the Leased Space Reserve Fund and To Amend the Law Regarding the Issuance of Securities under the Maine Governmental Facilities Authority and To Provide for the Transfer of Certain Land'

Amend the bill by striking out all of section 5 and inserting the following:

'Sec. 5. Authority to convey state property. Notwithstanding any other provision of law, the State, by and through the Commissioner of Administrative and Financial Services, referred to in this section as "the commissioner," may:

1. Conveyance of land. Convey by sale to Bangor Hydro Electric Company, a Maine corporation with its principal place of business in Bangor, Maine, and its successors and assigns, a parcel of land no more than 2 acres in size, in the general location of the southwest corner of state-owned land, that is currently part of the Dorothea Dix Psychiatric Center, depicted on the City of Bangor Tax Map R-63, Lot 8 and recorded in the Penobscot County Registry of Deeds. The amount of land and the boundary of the property sold pursuant to this section must be determined by the commissioner, in the commissioner's sole discretion, to be in the best interests of the State;

2. Easements and other rights. 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 of the State's interests, including access rights allowing for the construction of a road to allow ingress and egress for workers and equipment of the transferee to the parcel of land to be conveyed under subsection 1 and an increase in the scope or width of a transmission line easement running along the westerly boundary of the property by virtue of an easement granted by the State in Book 1423, Page 12 in the Penobscot County Registry of Deeds; and

3. Sale agreement; conditions. Negotiate and execute a purchase and sale agreement upon such terms and conditions the commissioner considers appropriate and draft, execute and deliver any documents necessary to effect the sale of the property. The property must be conveyed "as is" with no representations or warranties. Title to the property must be transferred by quitclaim deed without covenants and executed by the commissioner.

Any sale pursuant to this section is conditional upon the use of design criteria respecting safety precautions against damage from solar storms and electromagnetic pulse in any structures constructed on the property by the transferee.

Any sale pursuant to this section is exempt from any statutory or regulatory requirement that the property described in subsection 1 first be offered to the Maine State Housing Authority or another state or local agency.

Any proceeds from a sale pursuant to this section must be deposited into the Department of Administrative and Financial Services, Bureau of General Services capital repair and improvement account for capital improvements as designated by the commissioner.

Sec. 6. Repeal. Section 5 is repealed one year from its effective date unless a sale agreement under section 5, subsection 3 has been entered into prior to that date.

Sec. 7. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Buildings and Grounds Operations 0080

Initiative: Allocates one-time funds to conduct an engineering study of a substation.

REAL PROPERTY LEASE INTERNAL SERVICE FUND	2011-12	2012-13
All Other	\$0	\$50,000
REAL PROPERTY LEASE INTERNAL SERVICE FUND TOTAL	\$0	\$50,000

Leased Space Reserve Fund Program N139

Initiative: Provides funding to establish a baseline allocation for costs related to relocation and capital projects that construct, renovate or improve state facilities.

OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
All Other	\$0	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$500

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF DEPARTMENT TOTALS	2011-12	2012-13
OTHER SPECIAL REVENUE FUNDS	\$0	\$500
REAL PROPERTY LEASE INTERNAL SERVICE FUND	\$0	\$50,000
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$50,500

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment, which is the minority report of the committee, is the same as the majority report except that any sale of the property is conditional upon design criteria that respect safety precautions against damage from solar storms and electromagnetic pulse. This amendment also replaces the bill's appropriations and allocations section.

FISCAL NOTE REQUIRED

(See attached)