



125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 987

S.P. 305

In Senate, March 10, 2011

An Act Regarding the Sale of Surplus Land Owned by the Department of Transportation

Reference to the Committee on State and Local Government suggested and ordered printed.

Joseph G. Carleton Jr.

JOSEPH G. CARLETON, JR.
Secretary of the Senate

Presented by Senator BARTLETT of Cumberland.

Cosponsored by Senator: BLISS of Cumberland, Representative: VOLK of Scarborough.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 23 MRSA §61, sub-§2**, as enacted by PL 1985, c. 13, is amended to read:

3 **2. Land acquired may be sold.** The Governor, on recommendation of the
4 department, may sell and convey on behalf of the State the interests of the State in
5 property taken or acquired by purchase for transportation purposes and ~~deemed~~
6 determined no longer necessary for those purposes. When the Governor accepts the
7 recommendation of the department to sell and convey property that is in a residential
8 area, the department shall:

9 A. Determine and document the use and value of the property with respect to
10 abutters and the municipality at large, including but not limited to the integrity of the
11 neighborhood, homeowner property values, traffic and public safety, zoning,
12 pollution, noise and environmental impacts;

13 B. Notify abutters by mail and the residents of the municipality at large by
14 publication in a newspaper of general circulation in the area at least 60 days prior to
15 the proposed date of sale;

16 C. Receive public comment from residents of the municipality in accordance with
17 the public participation process under section 73, subsection 3, paragraph G regarding
18 approval or disapproval of the proposed sale; and

19 D. Offer the land for sale to the municipality before offering it for public sale.

20 **SUMMARY**

21 This bill provides guidelines for the sale of land in a residential area that is owned by
22 the Department of Transportation and being sold by the Governor including provisions
23 for the notification of the affected municipalities and abutting landowners.