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Date: (Filing No. S-)

STATE AND LOCAL GOVERNMENT

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**STATE OF MAINE
SENATE
127TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 47, L.D. 114, “Resolve, Authorizing the Bureau of General Services To Sell Certain Property to Kennebec County”

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

'Resolve, Authorizing the Bureau of General Services To Offer Certain Property to Kennebec County for 6 Months Prior to Listing the Property with Private Real Estate Brokers'

Amend the resolve by striking out all of section 3 and inserting the following:

'Sec. 3. Property to be offered to Kennebec County for 6 months. Resolved: That for 6 months following the effective date of this resolve the Commissioner of Administrative and Financial Services may negotiate with Kennebec County for the sale of the state property described in section 2 and may execute a purchase and sale agreement with Kennebec County upon terms the commissioner considers appropriate, except that the property must be sold "as is," with no representations or warranties and a requirement that Kennebec County use the property to house the Registry of Deeds and other county offices. The title must be transferred by quitclaim deed without covenant or release deed and executed by the commissioner. Kennebec County shall notify the commissioner in writing if the county determines prior to the end of the 6-month period that it does not want to purchase the property described in section 2. During this 6-month period, the commissioner may not negotiate or execute a purchase and sale agreement with any other party for the sale of the state property described in section 2 unless Kennebec County notifies the commissioner in writing that the county does not want to purchase the property; and be it further

Sec. 4. Property may be listed for sale or lease with private real estate brokers. Resolved: That if Kennebec County does not execute a purchase and sale agreement with the Commissioner of Administrative and Financial Services for the sale of the state property described in section 2 within 6 months following the effective date of this resolve, or if the county notifies the commissioner in writing prior to the end of the 6-month period that the county does not want to purchase the state property, as provided in section 3, the commissioner may list the property for sale or lease with private real

COMMITTEE AMENDMENT

1 estate brokers and may negotiate any sales or leases, solicit bids, sell directly to
2 purchasers or enter directly into leases with tenants for the sale of the property. The title
3 must be transferred by quitclaim deed without covenant or release deed and executed by
4 the commissioner; and be it further'

5 Amend the resolve by inserting after section 4 the following:

6 **'Sec. 5. Appraisal. Resolved:** That the Commissioner of Administrative and
7 Financial Services shall have the current market value of the state property described in
8 section 2 determined by an independent appraiser; and be it further

9 **Sec. 6. Proceeds. Resolved:** That any proceeds from a sale pursuant to this
10 resolve must be deposited in the Department of Administrative and Financial Services,
11 Bureau of General Services' capital repair and improvement account for capital
12 improvements as designated by the Commissioner of Administrative and Financial
13 Services; and be it further'

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

16 SUMMARY

17 This amendment is the majority report of the committee and makes the following
18 changes.

19 1. It removes language that states that the Commissioner of Administrative and
20 Financial Services must sell the property identified as the Augusta District Court to
21 Kennebec County, and instead specifies that for 6 months following the effective date of
22 the resolve the commissioner may negotiate and execute a purchase and sale agreement
23 with Kennebec County for the sale of the property.

24 2. It provides that if Kennebec County determines prior to the end of the 6-month
25 period that it does not want to purchase the state property, the county must notify the
26 commissioner in writing.

27 3. It prohibits the commissioner during the 6-month period from negotiating or
28 executing a purchase and sale agreement with any other party for the sale of the property
29 unless Kennebec County notifies the commissioner in writing that the county does not
30 want to purchase the property.

31 4. It provides that if after the 6-month period a purchase and sale agreement has not
32 been executed or after written notice that the county does not want to purchase the
33 property, the commissioner may list the property for sale or lease with private real estate
34 brokers and negotiate any sales or leases, solicit bids, sell directly to purchasers or enter
35 directly into leases with tenants.

36 5. It adds a section requiring an independent appraisal of the property.

37 6. It adds a section specifying the disposition of proceeds from the sale of the
38 property.

39 FISCAL NOTE REQUIRED

40 (See attached)