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Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell or Lease for Veterans' Housing the Interests of the State in Hedin Hall at the Dorothea Dix Psychiatric Center

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

1. "Commissioner" means the Commissioner of Administrative and Financial Services.
2. "State property" means the real estate described in section 3 with the buildings and improvements, together with all appurtenant rights and easements, and all personal property located on that property, including vehicles, machinery, equipment and supplies; and be it further

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

1. Enter into a lease or leases or convey by sale 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, pursuant to the Maine Revised Statutes, Title 23, chapter 3, 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 interests; 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 or leased is Hedin Hall located at the Dorothea Dix Psychiatric Center, formerly known as the Bangor Mental Health Institute, together with a suitable amount of land to support its use as veterans' housing and to meet any applicable municipal zoning ordinances. The amount of land and the boundary of the state property leased or sold pursuant to this resolve must be determined by the commissioner, in the commissioner's sole discretion, to be in the best interests of the State.

The state property must be conveyed with the restriction that it be used for veterans' housing. If the state property ceases to be used for veterans' housing, it must revert to the State. If the state property reverts to the State, the commissioner, after consultation with the Superintendent of the Dorothea Dix Psychiatric Center, may seek qualified developers and proposals for sale or lease of the state property so long as the proposals are compatible with other uses on the Dorothea Dix Psychiatric Center campus; 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 terms the commissioner considers appropriate; however, the state property must be sold "as is," with no representations or warranties.

Title must be transferred by quitclaim deed without covenant or release deed except as provided in section 3 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 state property first be offered to the Maine State Housing Authority or another state or local agency; and be it further

Sec. 6 Appraisal. Resolved: That the commissioner shall have the current market value of the state property determined by an independent appraiser. The commissioner may list the state property for sale or lease with private real estate brokers at the state property's 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; and be it further

Sec. 7 Proceeds. Resolved: That any proceeds generated pursuant to this resolve must be distributed as follows:

1. Any proceeds from the sale of the state property 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; and

2. Any proceeds from the lease of state property pursuant to this resolve must be deposited in the General Fund; and be it further

Sec. 8 Repeal. Resolved: That this resolve is repealed 5 years from its effective date.