



125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 1584

H.P. 1172

House of Representatives, June 8, 2011

**Resolve, To Allow the State To Continue Efforts To Sell or Lease
Certain Real Property in the City of Hallowell**

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

A handwritten signature in cursive script, reading 'Heather J.R. Priest'.

HEATHER J.R. PRIEST
Clerk

Presented by Representative TREAT of Hallowell.
Cosponsored by Senator McCORMICK of Kennebec and
Representatives: BERRY of Bowdoinham, FOSSEL of Alna.

1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** Resolve 2009, chapter 102 establishes conditions for the sale or transfer
4 of certain property in the City of Hallowell and provides for the lease for the
5 administrative office for Regional School Unit 2; and

6 **Whereas,** it is necessary to update certain dates contained in that resolve in order to
7 prevent the expiration of critical provisions, including provisions regarding the
8 preservation of historic properties and the preservation of public open space and to ensure
9 the continuation of the lease for the administrative office for the Regional School Unit 2;
10 and

11 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
12 the meaning of the Constitution of Maine and require the following legislation as
13 immediately necessary for the preservation of the public peace, health and safety; now,
14 therefore, be it

15 **Sec. 1. Resolve 2009, c. 102, §1, amended. Resolved:** That Resolve 2009, c.
16 102, §1 is amended to read:

17 **Sec. 1. Conditions of sale or transfer. Resolved:** That the Department of
18 Administrative and Financial Services shall, prior to the sale or transfer of any portions of
19 the property authorized for sale ~~by Resolve 2003, chapter 92~~ that is located in the City of
20 Hallowell Tax Map 6, Lot 27 consisting of 63.5 acres, more or less, incorporate the
21 following provisions into the conditions of sale or transfer. The sale or transfer must:

22 1. Reserve for the use or transfer to the City of Hallowell a portion of the parcel
23 agreed to by the State and the City of Hallowell for municipal uses. This right for
24 reservation or transfer may be surrendered by the City of Hallowell;

25 2. Reserve for the use or transfer to the City of Hallowell or any school
26 administrative unit that includes the City of Hallowell whatever portion of the parcel as
27 agreed to by the State, the City of Hallowell and the school administrative unit for
28 purposes of education, educational administration or educational services to be provided
29 by the school administrative unit. This right for reservation or transfer may be
30 surrendered by the City of Hallowell and the school administrative unit. The State shall
31 by September 30, ~~2009~~ 2011 enter into a lease to extend the current terms of School
32 Administrative District 16 or any successor school administrative unit that includes the
33 City of Hallowell as a tenant at the site through ~~September 13, 2011~~ June 30, 2015,
34 subject to existing laws and with the additional provision that such lease must survive any
35 transfer of ownership prior to that date until the expiration of the lease;

36 3. Reserve a portion of the parcel for public open space or public recreation either by
37 the developer retaining ownership but reserving the parcel or by transfer to any qualified
38 governmental or qualified nonprofit entity; and

39 4. Condition sale or transfer on the preservation and rehabilitation of the 5 buildings
40 and surrounding grounds known as the Industrial School for Girls Historic District

1 consistent with the “Secretary of the Interior’s Standards for the Treatment of Historic
2 Properties” as interpreted or otherwise determined appropriate by the Maine Historic
3 Preservation Commission.

4 The Commissioner of Administrative and Financial Services, prior to issuance of any
5 request for qualifications associated with the transfer of the site, shall establish and
6 convene a stakeholder group to guide reuse, assist in crafting a request for qualifications
7 to be issued by the Department of Administrative and Financial Services and review
8 qualifications of developers. The stakeholder group must have representation from
9 interested parties, unless they decline to participate, including City of Hallowell officials,
10 any school administrative unit that includes the City of Hallowell, the members of the
11 Legislature whose districts include the parcel, the Maine Historic Preservation
12 Commission, the Department of Administrative and Financial Services and others as
13 determined by the commissioner. A subgroup of the stakeholders may participate in
14 whole or in part in interviews of qualified developers scheduled as part of the request for
15 qualifications process and review parameters for development, recognizing that the
16 selection decision is under the authority of the commissioner; and be it further
17 ; and be it further

18 **Sec. 2. Report. Resolved:** That the Commissioner of Administrative and
19 Financial Services shall provide a written report on the status of all efforts toward the sale
20 or transfer of property pursuant to Resolve 2009, chapter 102 by February 1, 2012 to the
21 Joint Standing Committee on State and Local Government.

22 **Emergency clause.** In view of the emergency cited in the preamble, this
23 legislation takes effect when approved.

24 **SUMMARY**

25 Current law authorizes the State to sell or lease certain real property in the City of
26 Hallowell. This resolve authorizes the extension of the terms of the lease with the school
27 administrative unit that includes the City of Hallowell and references the actual property
28 description of the subject property rather than referencing the legislation authorizing the
29 sale or lease.