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

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

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

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

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

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

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

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

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

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

4. Condition sale or transfer on the preservation and rehabilitation of the 5 buildings and surrounding grounds known as the Industrial School for Girls Historic District consistent with the “Secretary of the Interior’s Standards for the Treatment of Historic Properties” as interpreted or otherwise determined appropriate by the Maine Historic Preservation Commission.

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

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

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