

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
104th LEGISLATURE

HOUSE AMENDMENT "A" to SENATE AMENDMENT "B" to
S.P. 368, L.D. 1281, Bill, "AN ACT to Create the
Mountain Resorts Airport Authority."

Amend said Amendment by striking out all of the 3rd
paragraph from the end, and inserting in place thereof
the following:

'Further amend said Bill by striking out all of sub-
section 11 of that part designated "§ 7052" and inserting
in place thereof the following:

11. Acquisitions. To acquire in the name of the
authority, by purchase, exercise of the power of eminent
domain or otherwise, on such terms and conditions as it may
deem proper, such lands or rights therein as may be nec-
essary to carry out the purposes of this chapter; provided
that in case of the crossing of any public utility, unless
consent is given by the company owning or operating such
public utility as to place, manner and conditions of the
crossing within 30 days after such consent is requested by
the authority, the Public Utilities Commission shall deter-
mine the place, manner and conditions of such crossing, and
all work on the property of such public utility shall be
done under the supervision and to the satisfaction of such
public utility, but at the expense of the authority; pro-
vided further that nothing herein contained shall be con-
strued as authorizing the authority to take by right of

(Over) (*Filing No. H-386*)

eminent domain any of the property or facilities of any other public service corporation or district used or acquired for future use in the performance of a public duty without the approval of, and on terms and conditions determined by, the Public Utilities Commission; and provided further that property acquired by eminent domain shall be taken in the name of the authority in proceedings instituted and conducted in accordance with, and subject to Title 35, Chapter 263; and the authority shall pay the costs and expenses of such proceedings as a part of the cost of project in connection with which such proceedings were instituted and the acquisition of any property by exercise of eminent domain is declared to be for a public use;'

Filed by Mr. Dennett of Kittery.

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