

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
105TH LEGISLATURE

HOUSE AMENDMENT " A " to H. P. 1299, L. D. 1704, Bill,  
"AN ACT Providing for the Protection of Coastal Wetlands."

Amend said Bill in that part designated "§4757." of section 1 by striking out all of the last underlined sentence of the 2nd paragraph and inserting in place thereof the following: 'If such negotiations fail and the board determines that an emergency situation exists which would cause an immediate threat to the public safety, health and welfare, to the protection of public or private property, or to public or private salt water supplies, or to the conservation of wildlife or freshwater estuarine or marine fisheries, the board shall declare that the public exigency requires the taking of such wetland, and, with the consent of the Governor and Council, may acquire in behalf of the State the fee of such wetland or any lesser interest therein by eminent domain, the proceedings for such taking to be in accordance with Title 35, chapter 263.'

Statement of Fact

This amendment would limit the board's power of eminent domain to emergency situations. In view of the fact that approximately 17,000 acres of coastal wetland would be potentially subject to condemnation under the bill, the limitation to

*(Filing M. H-236)*

emergency situations is necessary.

Filed by Mr. Donaghy of Lubec.

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5/7/71

(Filing No. H-236)