

# MAINE STATE LEGISLATURE

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(Filing No. H-1095)

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
107TH LEGISLATURE  
FIRST SPECIAL SESSION

HOUSE AMENDMENT"B"to COMMITTEE AMENDMENT"A" to H.P. 1920,  
L. D. 2108, Bill, "AN ACT Relating to Town Ways."

Amend said amendment in the 4th paragraph in the 2nd  
line by striking out the underlined words "or public easement"

Further amend said amendment by inserting after the 8th  
paragraph the following:

'Further amend said Bill in section 8 in that part  
designated "§3022." by striking out all of the last paragraph  
and inserting in place thereof the following:

'The municipal officers may personally or by agency,  
lay out a public easement on petition of any owner who has  
cultivated land in the municipality or an occupant of land  
in the municipality only if the land will be connected to a  
town way or highway after the establishment of the public  
easement. After a public easement has been laid out, it  
may be taken pursuant to section 3023.'

Further amend said amendment by adding before the period  
at the end of the last sentence before the statement of fact  
the following:

','except that this status shall be at all times subject to  
an affirmative vote of the legislative body of the municipality  
within which the way lies making that way an easement for  
recreational use'

Statement of Fact

The intent of this amendment is to establish a procedure whereby municipalities may by vote convert a public easement created through abandonment into an easement primarily for recreation use. This amendment also makes clear that public easements may only be taken on petition of the owner or occupant.

Filed by Mr. Henderson of Bangor.

Reproduced and distributed under the direction of the Clerk of the House.  
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