

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
110TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. S-194)

COMMITTEE AMENDMENT " B" to S.P. 224, L.D. 611, Bill, "AN ACT to Clarify the Status of Certain Real Estate Easements in the State."

Amend the bill by striking out all of the emergency preamble.

Further amend the bill by striking out everything after the enacting clause and inserting in its place the following:

'12 MRSA §558, sub-§3, last sentence, as enacted by PL 1979, c. 545, §2, is repealed and the following enacted in its place:

The owners of all structures actually upon submerged and inter-tidal lands on October 1, 1975, shall be deemed to have been granted an easement for a term of 30 years for the purposes for which the structures were used on that date, provided^{that} the owner does not substantially alter the nature of the structure. This easement shall, at the request of the owner, be renewed for a term of 30 years upon such reasonable terms and conditions and for such reasonable consideration as the director may determine.'

Statement of Fact

This amendment removes the emergency preamble, deletes the reference to "filled lands " and substitutes October 1, 1975 for

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COMMITTEE AMENDMENT " B " to S.P. 224, L.D. 611

-2-

September 14, 1979 in the text of the bill. October 1, 1975 is the date which the original law being amended took effect. This amendment also clarifies the use restrictions on the structure which are contained in the current law and removes the retroactive effective date.

Reported in Report "B" by the Committee on Judiciary.

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