

MAINE STATE LEGISLATURE

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L.D. 1746
(Filing No. S-330)

STATE OF MAINE
SENATE
114TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " A " to S.P. 651, L.D. 1746, Bill, "An Act to Preserve the Integrity of the Land for Maine's Future Program"

Amend the bill by striking out everything after the title and before the statement of fact and inserting in its place the following:

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

Whereas, it is the intention of the Legislature that the provisions of this Act apply to negotiations currently in progress; 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 enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA §6206-A is enacted to read:

§6206-A. Nominations

The board shall not consider any nomination for proposed acquisition unless the nominator submits with the proposal affidavits from all owners of land in the proposed acquisition. Each affidavit shall state the landowner's interest in being considered by the board as a proposed acquisition.

Sec. 2. 5 MRSA §6207-A is enacted to read:

1 §6207-A. Use of eminent domain

3 The board may expend funds to acquire an interest in real
4 property obtained by the use of eminent domain if the expenditure
5 is approved by the Legislature or with the consent of the
6 property owner.

7 **Sec. 3. 5 MRSA §6210** is enacted to read:

9 §6210. Data sharing

11 If the board transfers in writing to any local or federal
12 agency any written information acquired by the board under this
13 chapter concerning any land, the board shall, upon transfer,
14 notify the landowner of the transfer by certified mail.

15 **Emergency clause.** In view of the emergency cited in the
16 preamble, this Act shall take effect when approved.

17 **FISCAL NOTE**

18 The State Planning Office will incur some minor additional
19 costs which can be absorbed within existing budgeted resources.'

20 **STATEMENT OF FACT**

21 This amendment replaces notice and hearing procedures in the
22 bill with a requirement that any person nominating land for
23 acquisition by the Land for Maine's Future Board obtain an
24 affidavit of interest from each affected landowner. The
25 amendment retains the bill's intent that legislative approval be
26 obtained before funds from the Land for Maine's Future Board can
27 be used for purchases of land by use of eminent domain, but
28 allows the board to acquire land via eminent domain procedures
29 with the consent of the landowner. A provision to notify a
30 landowner if the board shares written information concerning the
31 landowner's property with local or federal agencies is retained.

Reported by Senator Ludwig for the Committee on Energy and
Natural Resources. Reproduced and Distributed Pursuant to
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(6/19/89)

(Filing No. S-330)