

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1663, L.D. 2303, Bill, "An Act to Regulate the Process by which Water Utilities Take Land"

Amend the bill by striking out all of the title and inserting in its place the following:

'An Act Requiring Notice by Water Utilities Proposing to Initiate Condemnation Proceedings for Land for Water Treatment Facilities'

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

'35-A MRSA §6704-A is enacted to read:

§6704-A. Notice requirements for taking of land for water treatment facilities

A water utility that proposes to initiate condemnation proceedings for the purpose of acquiring land for the construction of a water treatment facility shall:

1. Notice to public. No less than 90 days prior to the initiation of condemnation proceedings, provide notice to the public stating that the construction of a water treatment facility is being considered and identifying the area or areas that are being considered for that construction by publication in a newspaper of general circulation in the county and affected area in which the property is located;

2. Notice to municipal officers. No less than 60 days prior to the initiation of condemnation proceedings, provide written notice to the municipal officers of each municipality in which the land proposed to be taken by eminent domain is located. This notice must state clearly that the construction of a water treatment facility is being considered and identify the area or areas that are being considered for that construction; and

2 3. Notice to landowners. No less than 60 days prior to the
3 initiation of condemnation proceedings, provide written notice to
4 each owner and all abutters of land proposed to be taken by
5 eminent domain. This notice must state that the construction of
6 a water treatment facility is being considered and identify the
7 area or areas that are being considered for that construction.
8 This notice must also state clearly in nontechnical language the
9 rights of each landowner in the proposed condemnation
10 proceedings, including any rights of appeal, and provide the
11 name, address and telephone number of the appropriate state
12 agency to assist the landowner in the proceedings.'

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STATEMENT OF FACT

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17 This amendment replaces the original bill and requires water
18 utilities to give written notice to those persons who own or abut
19 land that is being considered for acquisition for the purpose of
20 constructing a water treatment facility and to the municipality
21 in which the land is located, and to the public by means of a
22 newspaper of general circulation in the area in which the land is
23 located.

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Reported by the Committee on Utilities

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

3/15/90

(Filing No. H-934)