

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1270, L.D. 1841, Bill, "An Act to Amend the Charter of the Farmington Village Corporation"

Amend the bill in section 2-F by striking out all of the first sentence (page 1, lines 39 to 46 in L.D.) and inserting in its place the following: 'Subject to the provisions of this section, the Farmington Village Corporation has the right of eminent domain and may exercise that right to acquire real estate or interests in real estate for the purposes of acquiring an underground water supply and to adequately provide for the storage, distribution or transmission of that water. Eminent domain powers may be exercised only for those purposes and only if the assessors determine that public exigency requires the immediate taking of those property interests, the corporation is unable to purchase those property interests for what the assessors consider reasonable valuation or the title is defective.'

Further amend the bill by inserting before the statement of fact the following:

FISCAL NOTE

This bill amends the charter of the Farmington Village Corporation to specifically grant the corporation powers of eminent domain. The additional work load and administrative costs associated with a minimal number of additional cases filed in Superior Court to appeal the determination of damages can be absorbed within the budgeted resources of the Judicial Department.'

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STATEMENT OF FACT

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4 This amendment strikes a sentence in the bill granting broad
6 eminent domain authority to the quasi-municipal corporation
8 chartered in Private and Special Law 1911, chapter 142 as the
10 Farmington Village Corporation. The amendment grants the
Farmington Village Corporation powers of eminent domain and
strictly limits those powers to the acquisition of property or
property interests necessary to acquire an underground water
supply and to store and distribute that water.

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14 The amendment does not affect provisions in the bill
pertaining to condemnation orders, notice to property owners,
determination of just compensation and the rights of appeal for
aggrieved persons.

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Reported by the Committee on State and Local Government
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House
(6/10/91) (Filing No. H-605)