

MAINE STATE LEGISLATURE

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MINORITY

NATURAL RESOURCES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "B" to H.P. 397, L.D. 532, Bill, "An Act to Restrict the Use of Eminent Domain Power"

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

'Sec. 1. 5 MRSA §6207-A, as amended by PL 1993, c. 728, §11, is further amended to read:

§6207-A. Use of eminent domain

The board may expend funds to acquire an interest in land obtained by the use of eminent domain only if the ~~expenditure or~~ acquisition has been approved by the Legislature ~~or is with the,~~ except that the board may use eminent domain for the purpose of clearing the title to land but only if it has the consent of the owner or owners of the land, as the identity and address of the owner or owners is shown on the tax maps or other tax records of the municipality in which the land is located. If the land is located within the unorganized territory, for purposes of this section the identity of the owner or owners must be as shown on the tax maps or other tax records of the State Tax Assessor.'

STATEMENT OF FACT

This amendment, which is the minority report of the Joint Standing Committee on Natural Resources, replaces the bill. Under current law, the Land for Maine's Future Board may expend

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2 funds to take land by eminent domain if the expenditure or the
acquisition has been approved by the Legislature or the owner of
the land consents.

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6 Under this amendment, the board may expend funds to take
land by eminent domain only if the acquisition is approved by the
Legislature, except that the board is authorized to take land by
8 eminent domain for the limited purpose of clearing title to land,
provided it has the consent of the landowner.

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