

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 532

H.P. 397

House of Representatives, February 14, 1995

An Act to Restrict the Use of Eminent Domain Power.

Reference to the Committee on Natural Resources suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative BAILEY of Township 27.
Cosponsored by Representative: LAYTON of Cherryfield, Senator: CASSIDY of Washington.

Be it enacted by the People of the State of Maine as follows:

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

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8 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 a 2/3 vote of the Legislature or
10 is. The use of eminent domain is authorized to clear the title
of land but only with the consent of the owner or owners of the
land, as the identity and address of the owner or owners is shown
12 on the tax maps or other tax records of the municipality in which
the land is located. If the land is located within the
14 unorganized territory, for purposes of this section the identity
of the owner or owners must be as shown on the tax maps or other
16 tax records of the State Tax Assessor.

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STATEMENT OF FACT

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22 This bill allows the Land for Maine's Future Board to
acquire land obtained by the use of eminent domain with the prior
approval of 2/3 of the Legislature. Eminent domain may be used
24 to clear title to the land, but only with the consent of the
landowner. Currently, either a simple majority of the
26 Legislature is needed or the consent of the landowner.