

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

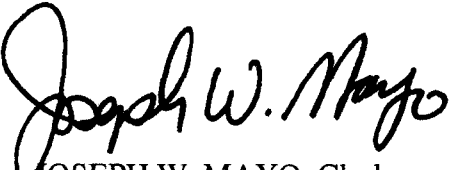
No. 1842

H.P. 1281

House of Representatives, March 16, 1999

**An Act to Require Disclosure of Vital Information When a Conservation
Easement or Preservation Interest is Created.**

Reference to the Committee on Agriculture, Conservation and Forestry suggested and
ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative JOY of Crystal.
Cosponsored by Representative MENDROS of Lewiston.

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

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Sec. 1. 33 MRSA §477, sub-§6 is enacted to read:

6. Disclosure. At the time of creation or conveyance of a conservation easement, the owner of the servient estate shall sign a consent form in which the following information is disclosed:

A. A description of the physical restrictions and legal restraints that the easement imposes on the servient estate;

B. The duration of the easement;

C. The identity of the entity receiving the easement; and

D. A description of the purpose and general activities of the entity receiving the easement.

Sec. 2. 33 MRSA §1552, as enacted by PL 1979, c. 389, is amended by adding after the first paragraph a new paragraph to read:

At the time of creation or conveyance of a preservation interest, the owner of the property shall sign a consent form that discloses a description of the physical restrictions and legal restraints that the preservation interest places on the property, the duration of the interest, the identity of the holder of the interest and a description of the purpose and general activities of the holder of the interest.

SUMMARY

This bill requires that, at the time of the creation or conveyance of a conservation easement or preservation interest, the owner of a servient estate or subject property sign a consent form disclosing the following information:

1. A description of the physical restrictions and legal restraints the easement or interest places on the estate or property;

2. The duration of the easement or interest; and

3. The identity and description of the general activities and purpose of the holder of the easement or interest.