

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2001

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Legislative Document

No. 103

H.P. 99

House of Representatives, January 11, 2001

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**An Act to Amend Eminent Domain Powers.**

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Reference to the Committee on State and Local Government suggested and ordered printed.

*Millicent M. MacFarland*

MILLICENT M. MacFARLAND, Clerk

Presented by Representative LaVERDIERE of Wilton.  
Cosponsored by Senator DOUGLASS of Androscoggin and  
Representatives: BULL of Freeport, DUGAY of Cherryfield, GLYNN of South Portland,  
McGOWAN of Pittsfield, MUSE of South Portland, SAVAGE of Buxton, SCHNEIDER of  
Durham, WATERHOUSE of Bridgton.

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

2  
4       **Sec. 1. 30-A MRSA §3101, sub-§2, ¶B** is enacted to read:

6       B. The development must be started on any property that has  
8       been acquired through condemnation within a period of 5  
10       years from the date of the deed to the condemnor, or the  
12       date on which the condemnor took possession, whichever is  
14       earlier, for the purpose for which it was condemned.  
16       Failure of the condemnor to begin development within that  
18       period entitles the current landowner or the landowner's  
20       heirs or devisees to reacquire the property at the price the  
22       condemnor paid to the landowner for the property. The  
24       current owner of the land from which the condemned land was  
      taken may reacquire the land as set forth in this paragraph.

#### SUMMARY

20       This bill permits a person whose land was taken by a  
22       municipality by eminent domain to reacquire the property at the  
24       price the municipality paid to that person for the property if  
      the municipality does not start development of the property for  
      the purpose for which it was taken within 5 years of the time it  
      was taken.