

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act Relating to the Carrabassett Valley Sanitary District

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

Sec. 1. Claim of adverse possession or prescriptive easement with respect to transmission line on land owned by Carrabassett Valley Sanitary District. With respect to any transmission line, together with all associated equipment and facilities, used to convey electricity from a generating facility, if that line in part is located through, in, upon or over land owned by the Carrabassett Valley Sanitary District and within 300 feet of a substation owned by a transmission and distribution utility, as defined in the Maine Revised Statutes, Title 35-A, section 102, subsection 20-B, even if the district were to be considered a quasi-governmental entity, the district's status does not preclude the owner of the transmission line from acquiring rights to that land by prescriptive easement or adverse possession and is not a bar to or defense against any action brought by the owner of the transmission line who claims such rights by prescriptive easement or adverse possession against the district, including with respect to any transmission line constructed and installed prior to January 1, 1999. Notwithstanding Title 14, section 812, to acquire a right-of-way or other easement through, in, upon or over such land owned by the district, the owner of such a transmission line need only establish the adverse use and enjoyment thereof continued uninterruptedly for 10 years.

SUMMARY

This bill provides that the common-law rule that holds that a claim of adverse possession or prescriptive easement may not be maintained against land owned by the government or a quasi-governmental entity does not apply in the limited case where a transmission line from a generating facility is located on or over property owned by the Carrabassett Valley Sanitary District and within 300 feet of a utility substation. The bill also in this limited case shortens the prescriptive period from 20 to 10 years.