MAINE STATE LEGISLATURE

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116th WAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 35

H.P. 32

House of Representatives, January 12, 1993

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

JOSEPH W. MAYO, Clerk

Presented by Representative SKOGLUND of St. George.

Cosponsored by Representative ANDERSON of Woodland, Representative GOULD of Greenville, Representative KILKELLY of Wiscasset and Senator PINGREE of Knox.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND NINETY-THREE

An Act to Compensate Landowners for Property Value Loss Due to Wetlands Conservation.



Be it enacted by the People of the State of Maine as follow

Sec. 1. 38 MRSA §480-V is enacted to read:

§480-V. Compensation for lost property value

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Upon application by a landowner, the commissioner shall
award financial compensation equivalent to the loss in property
value attributable to the restrictions imposed under section
480-C in coastal and freshwater wetlands. The amount of
compensation may not exceed the difference between the value of
the property in the absence of regulation under this article, as
determined by the commissioner, and the current assessed value of

the property. The determination of the commissioner constitutes final agency action under the Maine Administrative Procedure Act.

18 STATEMENT OF FACT

This bill provides a mechanism to compensate landowners for the property value losses incurred as a result of regulation under the wetlands portion of the natural resource protection laws. An appeal from the decision of the Commissioner of Environmental Protection may be taken under the Maine Administrative Procedure Act.