

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 896

H.P. 626

House of Representatives, February 28, 1991

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

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative SKOGLUND of St. George.

Cosponsored by Representative GOULD of Greenville, Representative CARROLL of Southwest Harbor and Representative POWERS of Coplin Plantation.

STATE OF MAINE

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

**An Act to Compensate Landowners for Property Value Losses Due to
Wetlands Regulation.**



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

4 38 MRSA §480-U is enacted to read:

6 §480-U. Compensation for lost property value

8 Upon application by a landowner, the commissioner shall
10 award financial compensation equivalent to the loss in property
12 value attributable to the restrictions imposed under section
14 480-C in coastal and freshwater wetlands. The amount of
16 compensation may not exceed the difference between the value of
18 the property in the absence of regulation under this article, as
20 determined by the commissioner, and the current assessed value of
22 the property. The determination of the commissioner constitutes
24 final agency action under the Maine Administrative Procedure Act,
26 Title 5, chapter 375.

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20 STATEMENT OF FACT

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