

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

DATE: 3-13-00

(Filing No. H-872)

**MINORITY
JUDICIARY**

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 354, L.D. 470, Bill, "An Act Requiring Compensation for Loss of Property Value Due to State or Local Regulation"

Amend the bill by inserting at the end before the summary the following:

FISCAL NOTE

The requirement that municipalities of the state compensate property owners for loss of property value due to local regulations represents a state mandate pursuant to the Constitution of Maine. The additional local costs could be significant and can not be determined at this time. Unless General Fund appropriations are provided to fund at least 90% of the additional costs or a Mandate Preamble is amended to the bill and two thirds of the members of each House vote to exempt this mandate from the funding requirement, the municipalities may not be required to implement these changes.

The Department of the Attorney General may require additional General Fund appropriations to provide legal services to defend the State against any claims that may result. The amount of the additional costs that may be incurred by the department can not be determined at this time.

This bill may significantly increase the number of civil suits filed in the court system. Additional General Fund appropriations may be required to cover the costs associated with the additional caseload. The amount and timing of these additional costs can not be determined at this time. The

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to H.P. 354, L.D. 470

2 collection of additional filing fees may also increase General
Fund revenue. These amounts also can not be determined at this
4 time.

6 The State may also incur significant additional costs to
reimburse property owners for reductions in property values
8 caused by state rules. The amounts and the timing of any
reimbursements will depend on the outcome of suits filed in the
10 court system. The total additional General Fund appropriations
that will be required for expert witnesses and property owner
12 compensation in any particular fiscal year can not be determined
at this time.'

14
16 **SUMMARY**

18 This amendment is the minority report. It adds a fiscal
note to the bill.