

# 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)



# 119th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1999

---

Legislative Document

No. 2300

S.P. 885

In Senate, December 15, 1999

---

**An Act to Make Minor Changes to the Community Development  
Definitions to Maintain Compatibility with Federal Regulations.**

---

Submitted by the Department of Economic and Community Development pursuant to Joint Rule 204.

Received by the Secretary of the Senate on December 15, 1999. Referred to the Committee on State and Local Government and ordered printed pursuant to Joint Rule 308.2

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator DAGGETT of Kennebec.  
Cosponsored by Representative: BUMPS of China.

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

2  
4  
6  
8  
10  
12  
14  
16  
18  
20  
22  
24  
26  
28  
30  
32  
34  
36  
38  
40  
42  
44  
46  
48  
50

**Sec. 1. 30-A MRSA §5201, sub-§1,** as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

**1. Existence of depressed areas.** There exists in the municipalities of the State deteriorating, dilapidated, slum and blighted areas, dangerous buildings and incompatible uses of property, which constitute a serious ~~and--growing--menace,~~ ~~injurious--and--inimical~~ threat to the public health, safety, ~~morals--and~~ or welfare of the residents of the State;

**Sec. 2. 30-A MRSA §5201, sub-§2,** as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is repealed.

**Sec. 3. 30-A MRSA §5201, sub-§4,** as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

**4. Not remediable by regulation or private enterprise.** These ~~menaces~~ threats are beyond remedy and control solely by regulatory process in the exercise of police power and cannot be dealt with effectively by the ordinary operation of private enterprise without the aids provided in this chapter;

**Sec. 4. 30-A MRSA §5202, sub-§1,** as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

- 1. Blighted area.** "Blighted area" means:
- A. An area in which there ~~is~~ are a predominance substantial number of buildings or improvements which ~~that~~ are ~~conducive to--ill--health,--the--transmission--of--disease,--infant mortality,--juvenile delinquency or crime and~~ are detrimental to the public health, safety, ~~morals~~ or welfare because of:
- (1) Dilapidation, deterioration, age or obsolescence;
  - (2) Inadequate provision for ventilation, light, air, sanitation or open spaces;
  - (3) High density of population and overcrowding;
  - (4) The existence of conditions which ~~that~~ endanger life or property by fire and other causes; or
  - (5) Any combination of these factors; or
- B. An area which ~~that~~ is a ~~menace~~ threat to the public health, safety, ~~morals~~ or welfare in its present condition and use because of:

- 2 (1) ~~The predominance of inadequate~~ Inadequate street  
layout, ~~insanitary~~ unsanitary or unsafe conditions;  
4  
6 (2) Tax or special assessment delinquency exceeding  
the fair value of the land;  
8 (3) The existence of conditions ~~which~~ that endanger  
life or property by fire and other causes; or  
10  
12 (4) Any combination of these factors.

14 **SUMMARY**

16 In order to mirror the federal guidelines, this bill changes  
the definition of "blighted area" from an area with a  
18 predominance of buildings needing improvement to an area with a  
substantial number of buildings that need improvement. This bill  
20 also makes other minor wording changes.