

MAINE STATE LEGISLATURE

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Legislative Document

No. 205

H.P. 176

House of Representatives, January 16, 2007

An Act To Require Regulatory Impact Estimates on Private Property

Reference to the Committee on State and Local Government suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative EMERY of Cutler.
Cosponsored by Senator SNOWE-MELLO of Androscoggin and
Representatives: CRAY of Palmyra, McFADDEN of Dennysville, PERRY of Calais,
SAVIELLO of Wilton, THIBODEAU of Winterport, VAUGHAN of Durham, Senator:
MILLS of Somerset.

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

2 **Sec. 1. 5 MRSA §8052, sub-§5-B** is enacted to read:

3 **5-B. Impact on private property.** At least 45 days prior to adoption of a rule, an
4 agency shall develop and make available to the public an impact statement that specifies
5 the rule's effect on private property values. The statement must specify whether the rule
6 will have no significant impact, significant positive impact, significant negative impact or
7 significant positive and negative impact on private property values.

8 **Sec. 2. 5 MRSA §8057-A, sub-§1, ¶C**, as enacted by PL 1989, c. 574, §7, is
9 amended to read:

10 C. An estimate of the fiscal impact of the rule;~~and~~

11 **Sec. 3. 5 MRSA §8057-A, sub-§1, ¶D**, as enacted by PL 1989, c. 574, §7, is
12 amended to read:

13 D. An analysis of the rule, including a description of how the agency considers
14 whether the rule would impose an economic burden on small business as described in
15 section 8052, subsection 5-A; and

16 **Sec. 4. 5 MRSA §8057-A, sub-§1, ¶E** is enacted to read:

17 E. An analysis of how the agency considers the rule would affect private property
18 values as described in section 8052, subsection 5-B.

19 **SUMMARY**

20 This bill requires an agency adopting a rule to develop an impact statement
21 specifying how the rule would affect private property values. The impact statement must
22 specify whether the rule will have no significant impact, significant positive impact,
23 significant negative impact or significant positive and negative impact. The impact
24 statement must be made public no less than 45 days before the rule is adopted.