

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 1318

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H.P. 915

House of Representatives, April 4, 2017

### **An Act To Align State Relocation Assistance with That of the Federal Government**

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Submitted by the Department of Transportation pursuant to Joint Rule 204.  
Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative McLEAN of Gorham.

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

2 **Sec. 1. 23 MRSA §244, sub-§1, ¶D**, as amended by PL 2005, c. 642, §2, is  
3 further amended to read:

4 D. Actual reasonable expenses necessary to reestablish a displaced farm, nonprofit  
5 organization or small business at its new site, in accordance with criteria to be  
6 established by the department, but not to exceed ~~\$20,000~~ the amount allowed under  
7 the federal Uniform Relocation Assistance and Real Property Acquisition Policies  
8 Act of 1970, Public Law 91-646, as amended.

9 **Sec. 2. 23 MRSA §244-A, sub-§1**, as amended by PL 1989, c. 208, §§13 and 21,  
10 is further amended to read:

11 **1. Owner.** In addition to payments otherwise authorized, the department shall make  
12 an additional payment not in excess of ~~\$22,500~~ the amount allowed under the federal  
13 Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970,  
14 Public Law 91-646, as amended to any displaced person who is displaced from a  
15 dwelling actually owned and occupied by the displaced person for not less than ~~180~~ 90  
16 days prior to the initiation of negotiations for the acquisition of the property. The  
17 additional payment ~~shall~~ must include the following elements:

18 A. The amount, if any, ~~which that~~ when added to the acquisition cost of the dwelling  
19 acquired by the department equals the reasonable cost of a comparable replacement  
20 dwelling. All determinations required to carry out this paragraph ~~shall~~ must be made  
21 in accordance with standards established by the department;

22 B. The amount, if any, ~~which that~~ will compensate the displaced person for any  
23 increased interest costs and other debt service costs ~~which that~~ person is required to  
24 pay for financing the acquisition of any such comparable replacement dwelling. The  
25 amount ~~shall~~ may be paid only if the dwelling acquired by the department was  
26 encumbered by a bona fide mortgage ~~which that~~ was a valid lien on the dwelling for  
27 not less than 180 days prior to the initiation of negotiations for the acquisition of that  
28 dwelling. In calculating the amount to be paid under this section, increased interest  
29 costs and other debt service costs ~~shall~~ must be reduced to discounted present value.  
30 The payment ~~shall~~ must be an amount ~~which that~~ will reduce the mortgage balance  
31 on the replacement dwelling to an amount ~~which that~~ could be amortized with the  
32 same monthly payment for principal and interest as that for the mortgage on the  
33 displaced dwelling; and

34 C. Reasonable expenses incurred by the displaced person for evidence of title,  
35 recording fees and other closing costs incident to the purchase of the replacement  
36 dwelling, but not including prepaid expenses.

37 **Sec. 3. 23 MRSA §244-B, sub-§1**, as amended by PL 1989, c. 208, §§15 and 21,  
38 is further amended to read:

39 **1. Lease or rent.** The amount necessary to enable the displaced person to lease or  
40 rent for a period not to exceed 42 months; a comparable replacement dwelling, but not to  
41 exceed ~~\$5,250~~ the amount allowed under the federal Uniform Relocation Assistance and

1 Real Property Acquisition Policies Act of 1970, Public Law 91-646, as amended. At the  
2 discretion of the department, a payment under this subsection may be made in periodic  
3 installments. Computation of a payment under this subsection to a low-income displaced  
4 person for a comparable replacement dwelling ~~shall~~ must take into account the person's  
5 income; or

6

### SUMMARY

7 This bill changes the amount of money the Department of Transportation pays a  
8 displaced individual due to a property acquisition for a project in which state dollars are  
9 used as funding. The bill removes the monetary limit and adds language that would align  
10 Maine with the amount allowed under the most current version of the federal Uniform  
11 Relocation Assistance and Real Property Acquisition Policies Act of 1970. The bill  
12 applies to payment for moving and related expenses, replacement housing for  
13 homeowners and replacement housing for tenants and others.