

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill in Part A in section 1 in §857 in subsection 4 by striking out all of the last underlined sentence (page 3, lines 18 to 21 in L.D.)

Amend the bill in Part A in section 1 in §859 by striking out all of subsection 8 (page 5, lines 17 to 31 in L.D.) and inserting the following:

8. Failure to reach settlement. If a property owner and the State fail to agree to a settlement during the mandatory mediation process, the property owner may file an action against the State under section 853. If during mediation the State makes a bona fide settlement offer and the owner rejects that offer and proceeds to file a claim under section 853, the property owner is liable for the costs and fees of the State from the point in time of rejection of the State's bona fide settlement offer until resolution of the claim under section 853 as long as the resolution of the claim under section 853 is either a finding of no taking or the damages awarded under the claim under section 853 are of a smaller dollar value than that contained in the State's bona fide settlement offer.'

Amend the bill in Part B in section 1 in §831 in subsection 2 by striking out all of paragraph B (page 6, lines 21 to 25 in L.D.) and inserting the following:

'B. Establish a simple and expedient application process; and'

Amend the bill in Part B by striking out all of section 3.

Amend the bill in Part B by striking out all of section 6.

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment is the minority report of the Joint Standing Committee on Judiciary. It deletes from the bill the chapter on regulatory fairness review and removes provisions related to that chapter.