1	L.D. 161
2	Date: (Filing No. H-)
3	JUDICIARY
4	Reproduced and distributed under the direction of the Clerk of the House.
5	STATE OF MAINE
6	HOUSE OF REPRESENTATIVES
7	127TH LEGISLATURE
8	FIRST REGULAR SESSION
9 10	COMMITTEE AMENDMENT "" to H.P. 119, L.D. 161, Bill, "An Act To Ban the United Nations Agenda 21 in Maine"
11	Amend the bill by striking out the title and substituting the following:
12	'An Act To Protect Private Property Rights'
13 14	Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:
15	'Sec. 1. 1 MRSA c. 22 is enacted to read:
16	<u>CHAPTER 22</u>
17	PROTECTION OF PRIVATE PROPERTY RIGHTS
18	§831. Private property rights; notice and participation
19 20	1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.
21 22 23	A. "Political subdivision" means any municipality, plantation, county, quasi- municipal corporation or special purpose district, including any public-private partnership, of the State.
24 25 26 27	B. "Property rights" includes the owner's right of peaceful possession, control and enjoyment of the owner's legally purchased, deeded private property, as well as the owner's ability to make contracts to sell, rent or give away all or part of the legally purchased, deeded private property.
28 29 30	C. "Public-private partnership" means any partnership in which the State or a municipality, plantation, county, quasi-municipal corporation or special purpose district is a partner.
31 32	D. "State" means the State and any office, department, agency, authority, commission, board, institution, hospital or other instrumentality of the State.

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1 2 3	2. Process when private property rights are affected. Before the State or any political subdivision adopts or implements policies that may affect private property rights, the State or political subdivision must satisfy the following requirements.
4 5	A. The process of developing planning and zoning policies must identify the effect of proposed policies on the property rights of owners of private property.
6 7 8 9	B. The State or political subdivision engaging in the process of developing planning and zoning policies must invite and accommodate the participation of owners of private property whose property rights may be affected by the planning and zoning policies.
10 11 12	C. When specific planning and zoning policies are considered, the State or political subdivision may provide an estimate of the potential change in the fair market value of the private property affected by the specific planning and zoning policies.'
13	SUMMARY
14 15 16 17 18 19	This amendment is the minority report of the Joint Standing Committee on Judiciary. It replaces the bill to eliminate references to United Nations Agenda 21 and any international law or ancillary plan of action that contravenes the United States Constitution or the Constitution of Maine, but still focuses on the protection of private property rights. The amendment requires the State and political subdivisions to identify the effect of planning and zoning policies on private property rights. It requires the State
20 21 22 23	and political subdivisions to ensure participation of private property owners in the process of developing planning and zoning policies. It provides that the State and political subdivisions may provide an estimate of the effect of planning and zoning policies on the fair market value of private property.

23 fair market value of private property.

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