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Date: (Filing No. S-)

JUDICIARY

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**STATE OF MAINE
SENATE
125TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 344, L.D. 1135, Bill, “An Act To Protect the Rights of Property Owners”

Amend the bill in section 1 in §841 by striking out all of subsections 1 to 4 (page 1, lines 8 to 19 in L.D.) and inserting the following:

1. Land use regulation. "Land use regulation" means the following that are enacted after the effective date of this chapter:

- A. Statutes regulating the use of land or any interest in land;
- B. Municipal comprehensive plans and ordinances; and
- C. Statutes and administrative rules regulating farming and forest practices.

2. Owner. "Owner" means the owner of property or any interest in property.

3. Public entity. "Public entity" means the State, a municipality or a county.'

Amend the bill in section 1 in §842 in subsection 1 in the 2nd line (page 1, line 22 in L.D.) by striking out the following: "or enforces a land use regulation enacted prior to" and inserting the following: 'after'

Amend the bill in section 1 in §842 in subsection 1 in the last line (page 1, line 25 in L.D.) by inserting after the following: "property" the following: 'by at least 50%'

Amend the bill in section 1 in §842 in subsection 3 in paragraph C (page 2, line 4 in L.D.) by inserting after the following: "law;" the following: 'or'

Amend the bill in section 1 in §842 in subsection 3 in paragraph D in the last line (page 2, line 8 in L.D.) by striking out the following: "Constitution; or" and inserting the following: 'Constitution.'

Amend the bill in section 1 in §842 in subsection 3 by striking out all of paragraph E (page 2, lines 9 to 11 in L.D.)

Amend the bill in section 1 in §842 by striking out all of subsection 5 (page 2, lines 16 to 24 in L.D.) and inserting the following:

COMMITTEE AMENDMENT

1 **‘5. Statute of limitations.** For claims arising from land use regulations enacted on or
2 after the effective date of this chapter, written demand for compensation under subsection
3 4 must be made within 2 years of the enactment of the land use regulation or the date the
4 owner submits a land use application in which the land use regulation is an approval
5 criteria, whichever is later.’

6 Amend the bill in section 1 in §842 in subsection 8 in the last 2 lines (page 2, lines 41
7 and 42 in L.D.) by striking out the following: "or inherited"

8 Amend the bill in section 1 in §842 in subsection 10 in the last line (page 3, line 8 in
9 L.D.) by striking out the following: "or inherited"

10 **SUMMARY**

11 This amendment is the minority report of the Joint Standing Committee on Judiciary.

12 This amendment provides that compensation is due when land use regulations that
13 are enacted after the effective date of this legislation reduce by at least 50% the fair
14 market value of property or an interest in property.

15 **FISCAL NOTE REQUIRED**

16 **(See attached)**