

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 by inserting before the enacting clause the following:

‘ **Mandate preamble.** This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.’

Amend the bill by inserting after section 4 the following:

‘**Sec. 5. Application.** This Act applies to a taking of property or any interest in property that displaces a business as defined in the Maine Revised Statutes, Title 23, section 242, subsection 2 for which a notice of condemnation as required by Title 23, section 154 is filed on or after January 1, 2008.

**Sec. 6. Appropriations and allocations.** The following appropriations and allocations are made.

**TRANSPORTATION, DEPARTMENT OF**

**Highway and Bridge Improvement 0406**

Initiative: Allocates funds for the increased costs of eminent domain proceedings.

<b>HIGHWAY FUND</b>	<b>2007-08</b>	<b>2008-09</b>
All Other	\$475,000	\$910,000
HIGHWAY FUND TOTAL	\$475,000	\$910,000

**SUMMARY**

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

This amendment adds a mandate preamble.

This amendment adds an appropriations and allocations section.

This amendment adds an application section to provide that the bill applies to a taking of property that displaces a business for which a notice of condemnation is filed on or after January 1, 2008. A business is defined, in part, as any lawful activity, excepting a farm operation, conducted primarily for the purchase, sale, lease and rental of personal and real property and for the manufacture, processing or marketing of products, commodities or any other personal property.

**FISCAL NOTE REQUIRED**  
**(See attached)**