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An Act To Promote Fairness and Protect Economic Development in Transportation Projects Undertaken by the State

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

Sec. 1. 23 MRSA §153-C is enacted to read:

§ 153-C. Compensation for property identified in transportation planning process

1. Compensation for property. If the Department of Transportation determines it necessary to take over and hold property for the State for the purposes set forth in section 153-B, subsection 1, the department shall compensate the owner of property as set forth in section 154, subsections 2, 3 and 4 if:

A. The department has submitted to the United States Army Corps of Engineers any necessary permit applications and analyses indicating that certain property will be necessary for the purposes set forth in section 153-B, subsection 1; and

B. The owner of the property agrees to sell to the department all of, or any portion of, the right, title or interest in and to the property.

SUMMARY

This bill provides a mechanism for a property owner to sell land to the State that has been identified in a transportation planning process as likely to be taken in a pending eminent domain proceeding.