

**§244. Moving and related expenses**

**1. Payments.** Whenever a program or project to be undertaken by the department will result in the displacement of any person, the department shall make a payment to any displaced person, upon proper application on forms approved by the department, for:

A. Actual reasonable expenses in moving that person, that person's family, business, farm operation or other personal property; [PL 1989, c. 208, §§12, 21 (AMD).]

B. Actual direct losses of tangible personal property as a result of moving or discontinuing a business or farm operation, but not to exceed an amount equal to the reasonable expenses that would have been required to relocate such property, as determined by the department; [PL 1989, c. 208, §§12, 21 (AMD).]

C. Actual reasonable expenses, but not to exceed \$2,500, in searching for a replacement business or farm; and [PL 2005, c. 642, §1 (AMD).]

D. Actual reasonable expenses necessary to reestablish a displaced farm, nonprofit organization or small business at its new site, in accordance with criteria to be established by the department, but not to exceed the amount allowed under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, as amended. [PL 2017, c. 295, §1 (AMD).]

[PL 2017, c. 295, §1 (AMD).]

**2. Fixed payments for residential displacements.** Any displaced person eligible for payments under subsection 1 who is displaced from a dwelling and who elects to accept the payments authorized by this subsection in lieu of the payments authorized by subsection 1 may receive a moving expense and dislocation allowance, which shall be determined according to a schedule established by the department.

[PL 1989, c. 208, §§12, 21 (AMD).]

**3. Fixed payments for business or farm displacements.** Any displaced person eligible for payments under subsection 1 who is displaced from that person's place of business or farm operation and who is eligible under criteria established by the department may elect to accept the payment authorized by this subsection in lieu of the payment authorized by subsection 1. The payment consists of a fixed payment in an amount to be determined according to criteria established by the department, except that any such payment may not be less than \$1,000 nor more than \$100,000. A person whose sole business at the displacement dwelling is the rental of property to others does not qualify for a payment under this subsection. In the case of a business no payment may be made under this subsection unless the department is satisfied that the business:

A. Cannot be relocated without a substantial loss of its existing patronage; and [PL 1989, c. 208, §§12, 21 (AMD).]

B. Is not part of a commercial enterprise having more than 3 other establishments not being acquired by the department that are engaged in the same or similar business. [PL 2005, c. 642, §3 (AMD).]

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**SECTION HISTORY**

PL 1971, c. 333, §1 (NEW). PL 1971, c. 593, §22 (AMD). PL 1973, c. 625, §131 (AMD). PL 1989, c. 208, §§12,21 (AMD). PL 2005, c. 642, §§1-3 (AMD). PL 2017, c. 295, §1 (AMD).

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