

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
105TH LEGISLATURE

HOUSE AMENDMENT " A " to H. P. 498, L. D. 644, Bill, "AN ACT  
Establishing the Flood Hazard Area Management Act of Maine."

Amend said Bill in that part designated "§303." of section 1  
by striking out all of subsection 4 and inserting in place thereof  
the following:

'4. Commission flood hazard areas. "Commission flood hazard  
areas," "commission coastal hazard areas," "commission floodway fringe  
areas" and "commission floodway areas" shall refer generally to flood  
hazard areas, coastal hazard areas, floodway fringe areas and floodway  
areas that have been delineated as within an area which is subject  
to flooding by the commission.'

Further amend said Bill in that part designated "§303." of section  
1 by striking out in the last line of subsection 9 (3rd line in L. D.)  
the underlined word "increasing" and inserting in place thereof the  
underlined word 'increased'

Further amend said Bill in that part designated "§303." of  
section 1 by striking out in the 2nd line of subsection 12 the  
underlined word "pile"

Further amend said Bill in that part designated "§303." of  
section 1 by striking out all of subsection 16.

Further amend said Bill in that part designated "§303." of  
section 1 by renumbering subsection 17 to be subsection 16.

Further amend said Bill by striking out in section 1 all  
of those parts designated "§305." and "§306."

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Further amend said Bill in that part designated "§307." of section 1 by striking out in the 2nd line of subsection 3 (same in L. D.) the underlined word "regulatory"

Further amend said Bill in that part designated "§308." of section 1 by striking out all of the first underlined sentence of subsection 1 and inserting in place thereof the following:

'Management of flood hazard areas shall be the joint responsibility of the commission and the following local units: Municipalities and Land Use Regulation Commissions in the absence of municipal government.'

Further amend said Bill in that part designated "§308." of section 1 by striking out all of subsections 2 to 5 and inserting in place thereof the following:

'2. Commission guidance of local regulations. The commission, in consultation with the State Planning Office and other appropriate state and federal agencies, shall adopt general or special rules setting minimum standards for the content, administration and enforcement of local ordinances. Local ordinances may include encroachment limits, zoning, subdivision regulations, building codes, housing codes and other land use regulations.'

3. Commission flood hazard areas. The commission may designate the following commission flood hazard areas: "Commission coastal hazard areas," "commission floodways" and "commission floodway fringes." Such designation shall describe boundaries for the commission flood hazard areas. The commission shall base the boundaries upon the regulatory flood. The determination of the discharge and the boundaries of the regulatory flood shall take into account the effects of probable

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future developments. The position of the lines shall, insofar as practical, equitably affect properties and interests depending upon topography, existing uses and probable future uses, shall be interdependent throughout the reaches of the waterway; and shall conform with the requirements of the Federal Government imposed as conditions for the construction of flood control projects.'

Further amend said Bill by striking out all of that part designated "§309." of section 1.

Further amend said Bill in that part designated "§310." of section 1 by striking out in the 5th line (4th line in L. D.) the underlined word "regulatory"; and by striking out in the 8th line (7th line in L. D.) the underlined words "and approval"

Further amend said Bill in that part designated "§311." of section 1 by striking out all of the last underlined paragraph.

Further amend said Bill by renumbering those parts designated "§307." to "§311." of section 1 to be designated '§305.' to '§308.'

#### Statement of Fact

The purpose of this amendment is to develop comprehensive flood hazard management programs in Maine.

Filed by Mr. Bustin of Augusta.

Reproduced and distributed under the direction of the Clerk of the House.

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