

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
106TH LEGISLATURE

COMMITTEE AMENDMENT "C" to S. P. 469, L. D. 1545, Bill,
"AN ACT to Establish the Saco River Corridor."

Amend said Bill in section 1 in that part designated
"Sec. 10." by inserting after the first paragraph (same in L. D.)
the following new paragraphs:

'The commission shall not amend or revise the comprehensive
plan, unless:

A. The proposed amendment or revision has been submitted
to the Southern Maine Regional Planning Commission, the
Greater Portland Council of Governments and other appropriate
agencies, which shall forward their comments and recommendations,
if any, to the commission within 30 days; and

B. The proposed amendment or revision has been submitted
to the State Planning Office, pursuant to Title 5, section
3305, subsection 1, paragraph G, which shall forward its
comments and recommendations, if any, to the commission within
30 days; and

C. The commission has considered all such comments.

Upon adoption of such an amendment or revision, the commission
shall submit the amendment or revision to the Governor for approval.
The Governor shall approve or disapprove the proposed amendment or
revision within 30 days of receipt. If the Governor fails to act,
the proposed amendment or revision shall be deemed approved.'

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Further amend said Bill in section 1 in that part designated "Sec. 11." under the caption "Resource Protection District." by adding at the end of subsection 3 the following:

'E. Necessary expansion or enlargement of nonconforming uses;

'F. Reconstruction of nonconforming structures damaged or destroyed by casualty.'

Further amend said Bill in section 1 in that part designated "Sec. 11." under the caption "Limited Residential District." by adding at the end of subsection 3 the following:

'H. Necessary expansion or enlargement of nonconforming uses;

'I. Reconstruction of nonconforming structures damaged or destroyed by casualty.'

Further amend said Bill in section 1 in that part designated "Sec. 13." in the first paragraph (same in L. D.) by striking out all of the 2nd sentence and inserting in place thereof the following: 'Any existing building or structure may be repaired, maintained and improved but an existing building, structure or nonconforming use may be extended, expanded or enlarged only by permit from the commission.'

Further amend said Bill in section 1 in that part designated "Sec. 13." by striking out all of the 2nd paragraph (same in L.D.) and inserting in place thereof the following:

'If, as a result of flood, fire or other casualty the value of a nonconforming building or structure is reduced by more than 75%, it may be rebuilt and the nonconforming use housed therein may be continued only by permit from the commission. If a

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nonconforming building or structure is decreased in value less than 75% by flood, fire or other casualty, it may be rebuilt in substantially the same location and in the same size without a permit from the commission, even though it would otherwise violate the requirements of this Act, provided that the rebuilding shall be commenced within 12 months of the casualty.'

Further amend said Bill in section 1 in that part designated "Sec. 19." (same in L. D.) by adding at the end the following:

'All performance standards, rules and regulations proposed for hearing by the commission shall be submitted to the Department of Environmental Protection, the State Planning Office, the Greater Portland Council of Governments and the Southern Maine Regional Planning Commission at least 7 days prior to the hearing for review and comment. The commission shall not promulgate any rule or regulation establishing air or water quality standards within the corridor in conflict with the rules and regulations of the Department of Environmental Protection without the prior approval of the Director of the Department of Environmental Protection or the Board of Environmental Protection.'

Further amend said Bill by inserting at the end of section 1 the following:

'Sec. 2. R. S., T. 5, § 711, sub-§ 12, additional. Section 711 of Title 5 of the Revised Statutes, as amended, is further amended by adding a new subsection 12 to read as follows:

12. Saco River Corridor Commission. The Executive Director of the Saco River Corridor Commission.'

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Further amend said Bill by striking out all of section 2.

Statement of Fact

The purpose of this amendment is to delete the appropriation.

Reported by the Committee on Natural Resources in Report "C".
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