

MAINE STATE LEGISLATURE

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S. OF R.
D. OF R.

L.D. 2006
(Filing No. S-480)

STATE OF MAINE
SENATE
108TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "A " to COMMITTEE AMENDMENT "A" to H.P. 1935, L.D. 2006, Bill, "AN ACT to Clarify Certain Definitions under the Subdivision Law and to Set Out the Intent of the Legislature in Enacting that Law."

Amend the Amendment by striking out all of the 8th line and inserting in its place the following:

'Sec. 2. 30 MRSA §4956, sub-§§1-A and 1-B are enacted to read:'

Further amend the Amendment by inserting after the underlined words "reviewing authority" in the 10th line the underlined words 'with the authority of the municipal officers'

Further amend the Amendment by inserting at the end of section 2 the following:

'1-B. Application. Subsection 1-A shall not apply to municipalities which have in effect a comprehensive zoning ordinance.'

Statement of Fact

This amendment would assure that elected municipal officials would have the option to extend this sort of regulation to the municipality rather than an appointive board. Many municipal planning boards consist of appointed rather than elected officials. The decision to exercise the comprehensive views in land use developments within a municipality should be made by its elected officials.

J. B.

SENATE AMENDMENT " A " to COMMITTEE AMENDMENT "A" to H.P.

1935, L.D. 2006

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The amendment would also enable those municipalities which have chosen to regulate land use by means of a zoning ordinance to continue to do so without limitation. Those municipalities which have chosen to regulate land use by zoning have already made a determination that certain land uses are acceptable in certain areas. Major developments are already reviewed by the State under the cite location law.

(Minkowsky)

NAME:

Minkowsky

COUNTY: Androscoggin

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