

MAINE STATE LEGISLATURE

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5-
D. Of R.

1

L.D. 1519

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(Filing No. S- 165)

3

STATE OF MAINE

4

SENATE

5

111TH LEGISLATURE

6

FIRST REGULAR SESSION

7

COMMITTEE AMENDMENT " A " to S.P. 503,

8

L.D. 1519, Bill, "AN ACT to Clarify the Law Concern-

9

ing Certain Appeals from Planning Board Decisions."

10

Amend the Bill in section 2 in paragraph B in the
11 8th line (page 2, line 29 in L.D.) by striking out
12 the underlined word "no" and inserting in its place
13 the underlined word 'an' and in the 9th and 10th
14 lines (page 2, lines 30 and 31 in L.D.) by striking
15 out the underlined words "to the board of appeals
16 unless specifically" and inserting in their place the
17 following: 'directly to Superior Court if'

18

STATEMENT OF FACT

19

This amendment alters section 2 of the bill. As
20 originally written, section 2 provided that appeals
21 from planning board decisions on permit issuance
22 would be to the Superior Court unless the municipal
23 ordinance provided otherwise. This amendment turns
24 that provision around. Appeals may go directly to
25 Superior Court if the municipal ordinance so pro-
26 vides.

27

The purpose of this amendment is to remove the
28 requirement, created by the language of the original
29 bill, that municipalities where appeals from planning
30 board decisions are taken to the board of appeals
31 would have to amend their ordinances to continue that
32 practice. With this amendment, appeals will go to the
33 board of appeals unless the local ordinance provides
34 for appeals to court.

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