

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 726

S.P. 267

Received by the Secretary, February 20, 1991

Reference to the Committee on Energy and Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

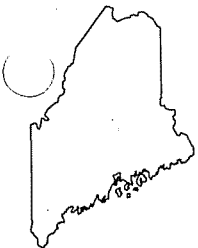
Presented by Senator KANY of Kennebec

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act to Amend the Growth Management Program Laws.

Printed on recycled paper



Be it enacted by the People of the State of Maine as follows:

2
3 Sec. 1. 30-A MRSA §4326, sub-§3, ¶A, as enacted by PL 1989, c.
4 104, Pt. A, §45 and Pt. C, §10, is amended to read:

6 A. ~~Identify and designate~~ Develop at least 2 basic types of
7 ~~geographic areas~~ land use strategies:

8
9 (1) ~~Growth areas which~~ strategies that are those areas
10 strategies suitable for orderly residential, commercial
11 and industrial development forecast ~~ever~~ for the next
12 10 years within the municipality. Each municipality
13 shall:

14 (a) Establish goals and standards for these
15 ~~developments~~ development;

16 (b) Establish timely permitting procedures;

17 (c) Ensure that needed the provisions for public
18 ~~services are available within~~ are suitable to meet
19 ~~the growth area demand forecast~~; and

20 (d) Prevent inappropriate development in natural
21 hazard areas, including flood plains and areas of
22 high erosion; and

23 (2) ~~Rural areas which~~ strategies that are those areas
24 ~~where protection should be provided for~~ strategies
25 designed to protect and enhance agricultural, forest,
26 open space and scenic lands values within the
27 municipality. ~~Each municipality shall adopt land use~~
28 ~~policies and ordinances to discourage~~ by discouraging
29 incompatible development.

30 These ~~policies and ordinances~~ strategies may include,
31 without limitation: ~~density limits~~ land use districting;
32 economic development programs; public facility service
33 standards; cluster or special zoning; acquisition of land or
34 development rights; or performance standards;

35 Sec. 2. 30-A MRSA §4344, sub-§1-A is enacted to read:

36 1-A. Exception. Notwithstanding subsection 1,
37 municipalities may expend local funds to develop a growth
38 management program in advance of their standing on the priority
39 list. The funds are reimbursable to the limit of the State's
40 share under subsection 2 provided that:

41 A. The expenditure in no way obligates the State to
42 reimbursement at any time other than when funding is
43 available; and

2 B. The expenditure conforms to the requirements of
4 subsection 2 and rules adopted by the office pursuant to
 this chapter.

6

STATEMENT OF FACT

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10 Currently, there are municipalities that have no cultural,
 economic or environmental basis for geographic districting,
12 making compliance to the local growth management laws difficult.
 This bill amends the current local growth management program laws
14 to provide opportunities for municipalities to explore ways to
 meet the goals of the growth management programs without
 geographical delineations. This bill also authorizes
16 municipalities to prepare growth management programs ahead of the
 priority list established by law.

18