

# MAINE STATE LEGISLATURE

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**NATURAL RESOURCES**

Reported by: Senator LORD of York for the Committee.

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**STATE OF MAINE  
SENATE  
117TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT " A" to S.P. 467, L.D. 1263, Bill, "An Act to Delegate Permit-granting Authority to Municipalities"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

**'Sec. 1. 38 MRSA §480-F, sub-§1**, as affected by PL 1989, c. 890, Pt. A, §40 and amended by Pt. B, §74, is further amended to read:

**1. Delegation.** A municipality may apply to the board for authority to issue permits under this article. The board shall grant such authority if it finds that the municipality has:

A. Established a planning board and a board of appeals;

B. Adopted a comprehensive plan and related land use ordinances consistent with the criteria set forth in Title 30-A, chapter 187, subchapter II;

C. The financial, technical and legal resources to adequately review and analyze permit applications and oversee and enforce permit requirements;

D. Made provision by ordinance or rule for prompt notice to the commissioner and the public upon receipt of application and written notification to the applicant and the commissioner of the issuance or denial of a permit stating the reasons for issuance or denial; and

E. Provided an application form that is substantially the same as that provided by the commissioner; and

F. Appointed a code enforcement officer, certified by the Department of Economic and Community Development.'

### STATEMENT OF FACT

This amendment replaces the bill. It changes the standards that a municipality must meet in order to receive authority to issue permits under the natural resources protection laws. The amendment adds the requirement that the municipality have a certified code enforcement officer and a board of appeals, but allows the municipality to have forms different from the state forms as long as they are substantially the same as the state forms.