

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

DATE: 3-14-02

(Filing No. H-912)

NATURAL RESOURCES

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
120TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1546, L.D. 2049, Bill, "An Act to Authorize the Transfer of Development Rights"

Amend the bill in section 1 in paragraph A in the 2nd blocked paragraph from the end in the 3rd line (page 1, line 34 in L.D.) by striking out the following: "and transfer"

Further amend the bill in section 1 in paragraph A in the 2nd blocked paragraph from the end in the 3rd line (page 1, line 34 in L.D.) by inserting after the following: "rights" the following: 'or transfer of development rights pursuant to section 4328'

Further amend the bill by inserting after section 1 the following:

'Sec. 2. 30-A MRSA §4328 is enacted to read:

**§4328. Transfer of development rights**

In order to comply with the requirement in section 4326 for each municipality to adopt land use policies and ordinances to discourage incompatible development, a municipality may adopt a transfer of development rights program for the transfer of development rights within its boundaries. Two or more municipalities may adopt a program that provides for the transfer of development rights between the municipalities if the municipalities have entered into an interlocal agreement pursuant to chapter 115 for this purpose.'

2

4

### SUMMARY

6       This amendment provides that a single municipality may enact  
8       a transfer of development rights program for the transfer of  
10       development rights within the municipality's boundaries. Two or  
      more municipalities may only provide for the transfer of  
      development rights between municipalities if the municipalities  
      have entered into an interlocal agreement.