

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)

MS

L.D. 389

DATE: 3-15-03

(Filing No. H-354)

MAJORITY
STATE AND LOCAL GOVERNMENT

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

STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 309, L.D. 389, Bill, "An Act to Amend the Laws Governing Municipal Citizen Initiatives and Referenda"

Amend the bill by striking out everything after the title and before the summary and inserting in its place the following:

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

Sec. 1. 30-A MRSA §3001, sub-§5 is enacted to read:

5. Limitation on ability to retroactively alter final approval. If a municipality has an established approval process that includes at least one advertised public hearing, a municipal ordinance or bylaw enacted by citizen initiative or referendum may not invalidate, repeal, revoke or modify any building permit, zoning permit, land use approval, subdivision approval or site plan approval if the final municipal approval or issuance of the permit was taken prior to the enactment of that ordinance or bylaw. This subsection does not apply to final approval regarding the municipal regulation of the disposal of sludge or septage within the municipality to the extent allowed under current law.'

SUMMARY

This amendment is the majority report and replaces the bill. It requires that if a municipality has an established approval process that includes at least one advertised public hearing, a municipal ordinance or bylaw enacted by citizen

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to H.P. 309, L.D. 389

2 initiative or referendum may not invalidate, repeal, revoke or
3 modify any building permit, zoning permit, land use approval,
4 subdivision approval or site plan approval if the final municipal
5 approval or issuance of the permit was taken prior to the
6 enactment of the ordinance. It also exempts sludge and septage
ordinances from this limitation.