

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

SECOND REGULAR SESSION-2004

Legislative Document

No. 1668

H.P. 1244

House of Representatives, December 19, 2003

An Act To Amend the Laws Governing Growth Management

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 16, 2003. Referred to the Committee on Natural Resources pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative KOFFMAN of Bar Harbor.
Cosponsored by Senator BROMLEY of Cumberland and
Representatives: DUPLESSIE of Westbrook, MILLS of Cornville, PINGREE of North Haven,
SUSLOVIC of Portland, Senators: DAMON of Hancock, MAYO of Sagadahoc, SAWYER of
Penobscot, TREAT of Kennebec.

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

4 **Sec. 1. 30-A MRSA §4349-A, sub-§3.** as amended by PL 2001, c.
406, §15, is further amended to read:

6 **3. Preference for other state grants and investments.** When
8 awarding grants or making a discretionary investment under any of
10 the programs under paragraphs A and B or undertaking its own
12 capital investment programs other than for projects identified in
14 section 4301, subsection 5-B, a state agency shall respect the
16 primary purpose of its grant or investment program and, to the
18 extent feasible, give preference first to a municipality that
20 receives a certificate of consistency under section 4347-A and
22 has adopted land use ordinances and a capital investment plan
24 consistent with its growth management program and 2nd to a
municipality that has adopted a comprehensive plan consistent
with the goals and guidelines of this subchapter and has adopted
land use ordinances and a capital investment plan consistent with
its comprehensive plan over a municipality that does not obtain
the certificate or finding of consistency within 4 years after
receipt of the first installment of a financial assistance grant
or rejection of an offer of financial assistance. This
subsection applies to:

26 A. Programs that assist in the acquisition of land for
28 conservation, natural resource protection, open space or
recreational facilities under Title 5, chapter 353; and

30 B. Programs intended to:

32 (1) Accommodate or encourage additional growth and
development;

34 (2) Improve, expand or construct public facilities; or

36 (3) Acquire land for conservation or management of
38 specific economic and natural resource concerns.

40 This subsection does not apply to state grants or other
42 assistance for sewage treatment facilities, public health
programs or education.

44 The office shall work with state agencies to prepare mechanisms
46 for establishing preferences in specific investment and grant
programs as described in paragraphs A and B.

48 SUMMARY

50 This bill requires a state agency, when awarding grants or

2 making discretionary investments, to give preference first to a
municipality that has received a certificate of consistency for
4 its growth management program and has adopted land use ordinances
and a capital investment plan and 2nd to a municipality that has
6 adopted land use ordinances and a capital investment plan
consistent with its comprehensive plan.