

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 1349

H.P. 932

House of Representatives, March 17, 2005

An Act To Encourage Neighborhood Schools and To Minimize Sprawl Caused by School Siting

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative PIOTTI of Unity.
Cosponsored by Senator MILLS of Somerset and
Representatives: BRAUTIGAM of Falmouth, LERMAN of Augusta, Senators: COWGER of
Kennebec, MARTIN of Aroostook, MITCHELL of Kennebec, ROTUNDO of Androscoggin.

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

4 **Sec. 1. 20-A MRSA §15908, sub-§5** is enacted to read:

6 5. **Neighborhood schools.** The state board may approve only
8 those school construction projects that are proposed to be sited
10 in a growth area designated in a comprehensive plan and zoning
12 ordinance adopted pursuant to and found consistent with the
14 procedures, goals and guidelines of Title 30-A, section 4347-A by
16 the Executive Department, State Planning Office. In the absence
18 of an adopted, consistent comprehensive plan and zoning
20 ordinance, the state board may approve a school construction
22 project that is proposed to be sited in an area served by a
24 public sewer system, an area identified in the latest Federal
26 Decennial Census as a census-designated place or a compact area
28 of an urban compact municipality as defined under Title 23,
30 section 754. If suitable property is not available within a
32 municipality's designated growth area, an area served by a public
34 sewer system, a census-designated place or a compact area, the
36 state board may not approve the school construction project
38 unless the municipality within which the school construction
40 project is located adopts a comprehensive plan and zoning
42 ordinance that designates the area within 1/2 mile of the
44 boundaries of the property as a growth area and adopts a capital
46 improvement plan to provide the public sewer, public water,
48 sidewalk and multiple-use path infrastructure necessary to
support a compact pattern of neighborhood growth. The state
board shall work with the State Planning Office to prepare and
adopt criteria governing applications under this chapter to
define "compact pattern of neighborhood growth" and the required
infrastructure, including public sewer, public water, sidewalks
and multiple-use paths.

34 **SUMMARY**

36 This bill encourages the building of schools only in areas
38 of a municipality that already are served or will be served by a
40 public infrastructure, such as sewer and water systems, sidewalks
and bicycle paths.

42 This bill allows the State Board of Education to approve
44 school construction only if the site is within an area that is a
46 designated growth area, an area served by a public sewer system,
48 a census-designated place or a compact area. For a site meeting
none of these criteria, the bill requires adoption of a
comprehensive plan and zoning ordinance by the municipality
before the state board may approve a project.