

# MAINE STATE LEGISLATURE

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M  
R.D.S.

L.D. 1481

DATE: 5-22-06

(Filing No. H-1097)

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
122ND LEGISLATURE  
SECOND REGULAR SESSION

HOUSE AMENDMENT "M" to COMMITTEE AMENDMENT "C" to S.P. 507, L.D. 1481, Bill, "An Act To Amend the Laws Governing the Enactment Procedures for Ordinances"

Amend the amendment in section 1 by striking out all of subsection 6 (page 1, lines 29 to 36 in amendment) and inserting in its place the following:

'6. Restriction on nullification of final permit. A municipality may not nullify or amend by citizen-initiated procedures a municipal land use permit for a residential development of which at least 50% of the units meet the standards of affordable housing as defined by section 5002, subsection 2 through the subsequent enactment, amendment or repeal of a local ordinance after the permit has received its lawful final approval, a period of 180 days has passed and if required a public hearing was held on the permit.'

SUMMARY

This amendment prevents a municipality, as a result of citizen-initiated procedures, from nullifying or amending a municipal land use permit that has been issued for a residential development of which at least 50% of the units are affordable housing after the permit has received lawful final approval, a period of 180 days has passed and if required a public hearing was held on the permit. For purposes of this amendment, "affordable housing" means decent, safe and sanitary dwellings,

**HOUSE AMENDMENT**

HOUSE AMENDMENT "M" to COMMITTEE AMENDMENT "C" to S.P. 507, L.D.  
1481

apartments or other living accommodations for low-income and  
moderate-income households. Affordable housing includes, but is  
not limited to, government-assisted housing, housing for  
low-income and moderate-income families, manufactured housing,  
multifamily housing and group and foster care facilities.

SPONSORED BY:

(Representative ADAMS)

TOWN: Portland

**FISCAL NOTE REQUIRED**  
(See attached)



Approved: 05/21/06 *MAC*

# 122nd MAINE LEGISLATURE

LD 1481

LR 1981(41)

**An Act To Amend the Laws Governing the Enactment Procedures for Ordinances**

**Fiscal Note for House Amendment "M" to Committee Amendment "C"**

**Sponsor: Rep. Adams**

**Fiscal Note Required: Yes**

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## Fiscal Note

Still Potential State Mandate

### Fiscal Detail and Notes

This amendment removes the traditional ordinance amendment procedures from the restriction on nullification of a municipal land use permit issued for certain residential development. This amendment keeps the restriction on citizen-initiated ordinance change procedures and is still a potential state mandate.