

# MAINE STATE LEGISLATURE

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DATE: 3/15/06 L.D. 1535 (Filing No. H-832)

NATURAL RESOURCES  
Report A

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

COMMITTEE AMENDMENT "A" to H.P. 1080, L.D. 1535, Bill, "An Act Making Improvements to the Laws Regarding Local Land Use Ordinances"

Amend the bill by striking out all of sections 3 to 6 and inserting in their place the following:

Sec. 3. 30-A MRSA §4360, sub-§3 is enacted to read:

3. Ordinance requirements. A municipality may adopt a rate of growth ordinance only if:

A. The ordinance is consistent with section 4314, subsection 3;

B. The ordinance sets the number of building or development permits, not including permits for affordable housing, at 105% or more of the mean number of permits issued within the municipality during the 10 years immediately prior to the year in which the number is calculated. The mean is determined by adding together the total number of permits issued for each year in the prior 10 years and then dividing by 10;

C. In addition to the permits established pursuant to paragraph B, the ordinance sets the number of building or development permits for affordable housing at no less than

2 10% of the number of permits set in the ordinance pursuant  
to paragraph B; and

4 D. The number of building or development permits allowed  
under the ordinance is recalculated every 3 years.

6  
8 **Sec. 4. Effective date.** This Act takes effect July 1, 2007.'

10 **SUMMARY**

12 This amendment is the majority report of the Joint Standing  
14 Committee on Natural Resources. The amendment authorizes a  
16 municipality to enact a rate of growth ordinance if the ordinance  
18 is consistent with a comprehensive plan, sets the number of  
20 permits allowed under the ordinance at a minimum of 105% of the  
mean number of permits issued during the prior 10 years and sets  
the number of permits allowed for affordable housing. It also  
requires the number of permits allowed to be recalculated every 3  
years. It also makes the law effective July 1, 2007.