

MAINE STATE LEGISLATURE

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Date: 06-06-07

(Filing No. S- 235)

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STATE OF MAINE
SENATE
123RD LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1262, L.D. 1810, Bill, "An Act To Enact the Informed Growth Act"

Amend the amendment in §4366 in subsection 2 in the 3rd line (page 1, line 21 in amendment) by striking out the following: "4367" and inserting the following: '4368'

Amend the amendment in §4366 in subsection 10 in the 3rd line (page 2, line 17 in amendment) and in the 5th line (page 2, line 19 in amendment) by striking out the following: "4367" and inserting the following: '4368'

Amend the amendment by inserting after §4366 the following:

'§4367. Application of subchapter; adoption by municipality

A municipality may adopt this Act in accordance with the procedures set forth in section 3003. Nothing in this subchapter may be construed to apply to a municipality that has not adopted this Act.'

Amend the amendment in §4367 in the first line (page 2, line 21 in amendment) by striking out the following: "~~§4367~~" and inserting the following: '~~§4368~~'

Amend the amendment in §4367 in the first paragraph in the first line (page 2, line 22 in amendment) by striking out the following: "As" and inserting the following: 'If a municipality has adopted this Act pursuant to section 4367, as'

Amend the amendment in §4367 by striking out all of subsection 3 (page 2, lines 35 to 42 and page 3, lines 1 to 3 in amendment) and inserting the following:

'3. Payment. The applicant for the permit shall pay a fee to the municipality. The development application is not complete for processing until the fee has been paid. The municipality's contract for the study must be defined and priced to ensure that the fee assessed will be sufficient to cover the costs of the comprehensive economic impact study, notice of public hearing, notice to abutting communities and residents and all other reasonable costs of processing, review, regulation and supervision of the study. Any unexpended funds from the fee must be returned to the applicant.'

Amend the amendment on page 3 by inserting after subsection 4 the following:

SENATE AMENDMENT

2023

1 'Amend the bill in section 1 in §4368 in the first line (page 3, line 26 in L.D.) by
2 striking out the following: "§4368" and inserting the following: '§4369'

3 Amend the bill in section 1 in §4368 by inserting before subsection 1 the following:

4 'This section applies to municipalities that have adopted this Act pursuant to section
5 4367.'

6 Amend the amendment in §4369 in the first line (page 3, line 37 in amendment) by
7 striking out the following: "§4369" and inserting the following: '§4370'

8 Amend the amendment in §4369 in the first paragraph in the first line (page 3, line 38
9 in amendment) by striking out the following: "The" and inserting the following: 'If a
10 municipality has adopted this Act pursuant to section 4367, the'

11 Amend the amendment in §4369 in the first paragraph in the 5th line (page 3, line 42
12 in amendment) by striking out the following: "4368" and inserting the following: '4369'

13 Amend the amendment on page 4 by inserting after §4369 the following:

14 'Amend the bill in section 1 in §4370 in the first line (page 4, line 13 in L.D.) by
15 striking out the following: "§4370" and inserting the following: '§4371'

16 Amend the amendment on page 4 by striking out all of the first indented paragraph
17 (page 4, line 9 in amendment)

18 Amend the amendment by striking out all of section 2.

19 **SUMMARY**

20 This amendment allows a municipality to voluntarily adopt the Informed Growth Act,
21 but specifies that the Act does not apply to a municipality that chooses not to adopt the
22 Act.

23 This amendment also replaces the requirement that the applicant for a permit pay a
24 \$40,000 fee with language allowing the municipality to assess the fee necessary to
25 conduct the impact study.

26 **SPONSORED BY:** _____

27 (Senator COURTNEY)

28 **COUNTY:** York

FISCAL NOTE REQUIRED
(See attached)



123rd MAINE LEGISLATURE

LD 1810

LR 2241(09)

An Act To Enact the Informed Growth Act

Fiscal Note for Senate Amendment "A" to Committee Amendment "A"

Sponsor: Sen. Courtney of York

Fiscal Note Required: Yes

Fiscal Note

Eliminates the state mandate
Minor savings - General Fund

	2007-08	2008-09	Projections 2009-10	Projections 2010-11
Appropriations/Allocations				
Other Special Revenue Funds	(\$500)	(\$500)	(\$500)	(\$500)

Fiscal Detail and Notes

Allowing a municipality to voluntarily adopt the Informed Growth Act eliminates the state mandate identified in the committee amendment. This amendment also removes the \$40,000 applicant permit fee and replaces it with authorization for a municipality to assess a fee. It removes the State Planning Office need to establish an Other Special Revenue Funds account to collect and disburse the permit applicant fees of \$40,000 and the allocation related to establishment of the account is removed from the bill.