

MAINE STATE LEGISLATURE

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M
A.S.

Date: 5/5/9 Majority

(Filing No. H-232)

STATE AND LOCAL GOVERNMENT

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
124TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 336, L.D. 448, Bill, "An Act To Modify the Informed Growth Act"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 30-A MRSA §4371, as enacted by PL 2007, c. 347, §1, is repealed and the following enacted in its place:

§4371. Exemption

1. Ordinance. The provisions of this subchapter do not apply to a municipality that has adopted an ordinance that contains requirements for determining the impacts of a proposed large-scale retail development as defined in section 4366, subsection 6 and requires an independent study of the community economic impacts for each individual large-scale retail development. The ordinance must include a requirement to consider the findings of the study, among other evidence, when reviewing a land use application and must contain standards for determining when an impact of a large-scale retail development is detrimental to the municipality.

2. Community economic impact study. The study pursuant to subsection 1 may include an examination of job creation; retail wages; sales revenue retained and reinvested in the community; municipal revenues generated; municipal services and maintenance costs caused by the development's construction and operation; public subsidies including tax increment financing; impacts on utilities; and any other factors the municipality identifies.

3. Qualified preparer. The study pursuant to subsection 1 must be prepared by a preparer qualified by education, training and experience pursuant to section 4367 who is chosen by the municipality.

4. Public presentation. The study pursuant to subsection 1 must be presented to the public consistent with section 4368.'

COMMITTEE AMENDMENT

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SUMMARY

This amendment, which is the majority report, replaces the bill. It clarifies that a municipality is exempt from the Informed Growth Act if the municipality has adopted an ordinance that contains requirements for determining the impact of large-scale retail development and includes an independent study of the community economic impacts of large-scale retail development. The study must be prepared by a preparer determined qualified by the Executive Department, State Planning Office and chosen by the municipality. The study must be presented at a public hearing.