

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 1028

S.P. 323

In Senate, March 10, 2021

**An Act To Ease Business Expansion by Increasing the Number and
Applicability of Permit Exemptions under the Site Location of
Development Laws**

Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator KEIM of Oxford.

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

2 **Sec. 1. 38 MRSA §488, sub-§7**, as amended by PL 1993, c. 383, §26 and affected
3 by §42, is further amended to read:

4 **7. Exemption for expansion at existing manufacturing facility.** New construction
5 at a licensed manufacturing facility is exempt from review under this article ~~provided that~~
6 as long as the additional disturbed area not to be revegetated does not exceed ~~30,000~~ 40,000
7 square feet ground area in any calendar year and does not exceed ~~60,000~~ 80,000 square feet
8 ground area in total. When review under this article is required at a licensed manufacturing
9 facility, the applicant shall provide plans for the new development, as well as for those
10 activities that have been undertaken pursuant to this subsection. The permittee shall
11 annually notify the department of new construction conducted during the previous 12
12 months pursuant to this exemption. The notice must identify the type, location and ground
13 area of the new construction.

14 **Sec. 2. 38 MRSA §488, sub-§27, ¶A**, as enacted by PL 2011, c. 551, §3, is
15 amended to read:

16 A. New construction at or a modification of a campus of an educational institution
17 permitted pursuant to this article is exempt from review under this article if the
18 additional disturbed area not to be revegetated does not exceed ~~30,000~~ 40,000 square
19 feet ground area in any calendar year and does not exceed ~~60,000~~ 80,000 square feet
20 ground area in total.

21 **Sec. 3. 38 MRSA §488, sub-§29, ¶A**, as enacted by PL 2013, c. 183, §1, is
22 amended to read:

23 A. The additional disturbed area not to be revegetated does not exceed ~~40,000~~ 40,000
24 square feet ground area in any calendar year and does not exceed ~~20,000~~ 80,000 square
25 feet ground area in total; and

26 **Sec. 4. 38 MRSA §488, sub-§29, ¶B**, as enacted by PL 2013, c. 183, §1, is
27 amended to read:

28 B. The construction or modification does not involve a division of the parcel of land.
29 For the purposes of this paragraph, the addition of a dwelling unit does not constitute
30 a division of a parcel of land.

31 **SUMMARY**

32 Under current law, new construction at a licensed manufacturing facility and new
33 construction at or modification of a campus of an educational institution and of an existing
34 licensed development is exempt from review under the laws governing site location of
35 development if certain criteria are met. This bill amends those exemptions by increasing
36 the square footage criteria under the exemptions.