

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out the title and substituting the following:

**'An Act To Ensure Adequate Public Notice on Municipal Projects'**

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

**'Mandate preamble.** This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

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

**Sec. 1. 30-A MRS §4361** is enacted to read:

**§ 4361. Public notice for municipal projects**

**1. Public notice.** Municipal officers shall provide notice by mail at least 10 days before any public hearing on a municipal project to all residents within a one-mile radius of the proposed project or to the entire municipality, whichever is the smaller.

**2. Municipal project.** For the purpose of this section, "municipal project" means any large development project and includes, but is not limited to, the following projects: developments that equal or exceed 75,000 square feet; those requiring licensing or oversight from the Department of Environmental Protection; those involving disposal of hazardous or toxic waste; public waste water treatment facilities; and subdivisions.

**3. Public hearing.** Everyone present at the public hearing must be allowed to give testimony.

**4. Application.** This section applies to a municipality that has municipal reviewing authority and to a municipality without municipal reviewing authority in which planning decisions are made at the town meeting.'

**SUMMARY**

This amendment, which is the minority report, replaces the bill. It requires municipal officers to provide notice of a public hearing to all residents within a one-mile radius or the entire municipality, whichever is the smaller, by mail at least 10 days prior to the hearing. This notice is necessary for all significant development projects, including, but not limited to, projects that: are at least 75,000 square feet in size; require licensing or oversight by the Department of Environmental Protection; involve public waste water treatment facilities; involve disposal of hazardous or toxic waste; and involve subdivisions.

Everyone present at the public hearing must be allowed to testify. Notice must be provided whether the municipality has a planning board or the planning decisions are made at a town meeting.

**FISCAL NOTE REQUIRED**  
**(See attached)**