

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‘**Sec. 1. 30-A MRSA §4371**, as enacted by PL 2007, c. 347, §1, is repealed and the following enacted in its place: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

**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.