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Public Law
124th Legislature
First Regular Session

Chapter 260
H.P. 336 - L.D. 448

An Act To Modify the Informed Growth Act

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

Sec. 1. 30-A MRSA §4371, as enacted by PL 2007, c. 347, §1, is repealed and the following enacted in its place: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

Effective September 12, 2009