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

An Act To Amend the Informed Growth Act To Provide a Local Management Option

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 amended to read:

§ 4371. Exemption

The provisions of this subchapter do not apply to a municipality that has adopted ~~economic and community impact review criteria that apply to large-scale retail development land use permit applications and that~~an ordinance that contains requirements for determining the impact of a large-scale retail development on existing retail establishments and municipal services for the municipality and abutting municipalities. The ordinance must require a~~a~~n independent study of the comprehensive economic and community impacts of the proposed large-scale retail development ~~for consideration~~by a preparer qualified by education, training and experience and provide for public participation consistent with section 4368. The ordinance must consider the findings of the study, among other evidence, ~~in applying the review criteria to the~~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 community.

A municipality that has adopted an ordinance prior to January 1, 2009 for determining the economic and community impacts of a large-scale retail development is exempt from this Act.

SUMMARY

This bill exempts a municipality from the Informed Growth Act if the municipality adopts an ordinance that determines the impact of a large-scale retail development on the surrounding community and requires an independent study by a qualified preparer. It also exempts a municipality that has adopted an ordinance prior to January 1, 2009 for determining the economic and community impacts of a large-scale retail development.