

An Act to Update the Growth Management Program Laws
LR 289

Chapter 187 Planning and Land Use Regulations
Subchapter 1: General Provisions

Sec. 1. 30-A MRSA §4301, as amended by PL 2021, c. 590, Pt. A, §§3 to 5 and c. 754, §1, is further amended to read:

§4301. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Affordable housing. "Affordable housing" means a decent, safe and sanitary dwelling, apartment or other living accommodation for a household whose income does not exceed 80% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, as follows:

A. Rental housing that a household whose income does not exceed 80% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford without spending more than 30% of the household's monthly income on housing costs; and

B. With respect to housing that is owned, housing that a household whose income does not exceed 120% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford without spending more than 30% of the household's monthly income on housing costs.

1-A. Cluster development. "Cluster development" means a form of development that allows a subdivision design in which individual lot sizes and setbacks are reduced in exchange for the creation of common open space and recreation areas, the preservation of environmentally sensitive areas, agriculture and silviculture and the reduction in the size of road and utility systems.

1-B. Age-friendly community. "Age-friendly community" means a community where policies, services, settings and structures support and enable older adults to actively age in place and that recognizes the capabilities, resources and needs of older adults residents, plans to meet the needs of older adults in flexible ways that support healthy and active aging, promotes the

inclusion and contributions of older adults in all areas of community life, respects the self-determination and independence of older adults and protects those older adults who are most vulnerable.

1-C. Accessory dwelling unit. "Accessory dwelling unit" means a self-contained dwelling unit located within, attached to or detached from a single-family dwelling unit located on the same parcel of land.

1-D. Agricultural soils. "Agricultural soils" means farmland soils classified by the United States Department of Agriculture, Natural Resources Conservation Service and state soil and water conservation districts as prime farmland, unique farmland, or farmland of statewide or local importance.

1-E. Attainable housing. "Attainable housing," "middle-income housing" or "missing middle housing," means a decent, safe and sanitary dwelling or other living accommodation that a household whose income is greater than 80% and less than 120% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford without spending more than 30% of the household's monthly income on housing costs.

2. Coastal area. "Coastal area" means a coastal island and any municipality or unorganized township contiguous to tidal waters. The inland boundary of the coastal area is the inland line of any coastal town line.

3. Comprehensive plan. "Comprehensive plan" means a document or interrelated documents that are consistent with the goals established under subchapter 2 containing the elements established under section 4326 4326-A, subsections 1 to 4. ~~including the strategies for an implementation program which are consistent with the goals and guidelines established under subchapter II.~~

4. Conditional zoning. "Conditional zoning" means the process by which the municipal legislative body may rezone property to permit the use of that property subject to conditions not generally applicable to other properties similarly zoned.

~~4-A. Critical rural area. "Critical rural area" means a rural area that is specifically identified and designated by a municipality's or multimunicipal region's comprehensive plan as deserving maximum protection from development to preserve natural resources and related economic activities that may include, but are not limited to, significant farmland, forest land or mineral resources; high-value wildlife or fisheries habitat; scenic areas; public water supplies; scarce or especially vulnerable natural resources; flood buffer areas and flood-prone areas; and open lands functionally necessary to support a vibrant rural economy.~~

4-A. Critical rural area. "Critical rural area" means an area that is specifically identified and designated by a municipality's or multimunicipal region's comprehensive plan within a rural area deserving maximum protection from development.

4-B. Critical waterfront area. "Critical waterfront area" means a shorefront area characterized by functionally water-dependent uses, as defined in Title 38, section 436-A, subsection 6, and specifically identified and designated by a municipality's or multimunicipal region's comprehensive plan as deserving maximum protection from incompatible development.

4-C. Conserved lands. "Conserved lands" means any natural or rural lands that are durably protected from development through conservation easements, ownership in fee by a municipality, the State, the Federal Government, or a land conservation organization, or by other mechanisms. Conserved lands include lands under permanent fee or conservation easements (meeting GAP status 1-3) in the Maine Conservation Lands GIS layer) or natural and traditionally managed lands identified in government-to-government relationships with Wabanaki Nations in Maine. Conserved lands do not include lands with temporary protections by such as lease agreements, shoreland or municipal land use restrictions, carbon offset projects, or areas enrolled in tree growth or other open space current use tax law provisions.

4-D. Critical natural resources. "Critical natural resources" means:

- A. Protected natural resources such as coastal sand dune systems, coastal wetlands, significant wildlife habitat, fragile mountain areas, freshwater wetlands, great ponds and rivers, streams or brooks as defined by 38 MRSA 480-B;
- B. Habitats of threatened and endangered species and species of special concern as designated and mapped under Title 12, chapter 925;
- C. Significant freshwater fisheries spawning habitat as identified and mapped by the Department of Inland Fisheries and Wildlife or the Department of Marine Resources; and
- D. Rare or exemplary natural communities as defined and mapped in the Natural Areas Program;
- E. Areas containing threatened or endangered plant species in the Natural Areas Program under Title 12, section 544;

5. Contract zoning. "Contract zoning" means the process by which the property owner, in consideration of the rezoning of that person's property, agrees to the imposition of certain conditions or restrictions not imposed on other similarly zoned properties.

5-A. Downtown. "Downtown" means: ~~A. The central business district of a community that serves as the center for socioeconomic interaction in the community and is characterized by a cohesive core of commercial and mixed-use buildings, often interspersed with civic, religious and residential buildings and public spaces, typically arranged along a main street and intersecting side streets, walkable and served by public infrastructure, or~~

~~B. An area identified as a downtown in a comprehensive plan adopted pursuant to chapter 187, subchapter II 2.~~

5-B. Growth-related capital investment. "Growth-related capital investment" means investment by the State in only the following projects, even if privately owned, whether using state, federal or other public funds and whether in the form of a purchase, lease, grant, loan, loan guarantee, credit, tax credit or other financial assistance:

- A. Construction or acquisition of newly constructed multifamily rental housing;
- B. Development and redevelopment of high-impact corridors and other designated growth areas that provide an opportunity for mixed-use development consisting of residential, light industrial or business-parks uses;
- C. Construction or, extension or upgrade of sewer, water and other utility lines to support designated growth areas;
- D. Grants and loans for public or quasi-public service infrastructure, public or quasi-public facilities, bicycle and pedestrian infrastructure, and community buildings; and
- E. Construction or expansion of state office buildings, state courts, hospitals and other quasi-public facilities and other civic buildings that serve public clients and customers.

"Growth-related capital investment" does not include investment in the following: the operation or maintenance of a governmental or quasi-governmental facility or program; the renovation of a governmental facility that does not significantly expand the facility's capacity; general purpose aid for education; school construction or renovation projects; highway or bridge projects; programs that provide direct financial assistance to individual businesses; community revenue sharing; or public health programs.

5-C. Department. "Department" means the Department of Agriculture, Conservation and Forestry the Maine Office of Community Affairs.

5-D. Development standards. "Development standards" means performance and design standards for buildings, streets, civic spaces and sites that promote a pattern of development

through the identification of characteristics unique to a placetype and to the areas that make up a placetype. "Development standards" may include, but are not limited to, street connectivity and design; location and design of civic spaces; building type, use, form, placement, arrangement and orientation on a lot; location of parking; storm water design; and other site design considerations.

6. Development. "Development" means a change in land use involving alteration of the land, water or vegetation, or the addition or alteration of structures or other construction not naturally occurring.

6-A. Impact fee. "Impact fee" means a charge or assessment imposed by a municipality against a new development to fund or recoup a portion of the cost of new, expanded or replacement infrastructure facilities necessitated by and attributable at least in part to the new development.

6-B. Impact fee ordinance. "Impact fee ordinance" means an ordinance that establishes the applicability, formula and means by which impact fees are assessed.

6-C. Growth area. ~~"Growth area" means an area that is designated in a municipality's or multimunicipal region's comprehensive plan as suitable for orderly residential, commercial or industrial development, or any combinations of those types of development, and into which most development projected over 10 years is directed~~a placetype or portion of a placetype that has been identified by a municipality or multimunicipal region in a comprehensive plan as an area for intentional development and investment, including but not limited to new roads, utilities and infrastructure expansion. "Growth area" includes existing high-impact corridors.

6-D. High-impact corridor. "High-impact corridor" means an existing linear collection of predominantly commercial parcels of developed land along a road located proximate to a downtown or village center characterized by a low-density development pattern, with large areas of parking typically located between buildings and the road.

7. Implementation program. "Implementation program" means that component of a local growth management program that begins after the adoption of a comprehensive plan and that includes the full range of municipal policy-making powers, including spending and borrowing powers, as well as the powers to adopt or implement ordinances, codes, rules or other land use regulations, tools or mechanisms that carry out the purposes and general policy statements and strategies of the comprehensive plan in a manner consistent with the goals and guidelines of subchapter 2.

7-A. Important natural resources. "Important natural resources" means those areas in the community important for strategic conservation planning purposes and not classified as critical natural resources, including but not limited to:

A. Large habitat blocks as identified by the Department of Inland Fisheries and Wildlife's Beginning with Habitat program;

B. Habitat connections as identified by the Department of Inland Fisheries and Wildlife's Beginning with Habitat program;

C. Focus areas of statewide ecological significance as identified in the Department of Inland Fisheries and Wildlife's federally required wildlife action plan;

D. Exemplary natural communities as defined by the Natural Areas Program;

E. Important water resources and associated riparian habitat as identified by the Department of Inland Fisheries and Wildlife's Beginning with Habitat program; or

F. Barriers and potential barriers to Aquatic Organism Passage as depicted on the Maine Stream Habitat Viewer.

8. Land use ordinance. "Land use ordinance" means an ordinance or regulation of general application adopted by the municipal legislative body which controls, directs or delineates allowable uses of land and the standards for those uses.

8-A. Local climate action plan. "Local climate action plan" means a planning and decision-making document adopted by a municipality or multimunicipal region that:

A. Includes compiled information regarding climate and health risks;

B. Includes an evaluation of options for addressing climate and health risks by individuals, committees or offices in local or regional government that are responsible for planning, implementing and monitoring activities that reduce climate risk, build resilience to natural hazards and improve health and community capacity to manage crises; and

C. Is produced using community dialogue and participation in a manner that ensures the input and needs of the community's most vulnerable citizens are elevated and prioritized.

9. Growth management program. "Growth management program" means a document containing the components described in section 4326, 4326-A, subsections 1 to 4, including the implementation program, that is consistent with the goals ~~and guidelines established~~ by subchapter ~~¶ 2~~ and that regulates land use beyond that required by Title 38, chapter 3, subchapter ~~¶ 1~~, article 2-B.

10. Planning committee. "Planning committee" means the committee established by the municipal officers of a municipality or ~~combination of municipalities~~ multimunicipal region that has the general responsibility established under sections 4324 and ~~4326~~ 4326 A.

11. Moratorium. "Moratorium" means a land use ordinance or other regulation approved by a municipal legislative body that, if necessary, may be adopted on an emergency basis and given immediate effect and that temporarily defers all development, or a type of development, by withholding any permit, authorization or approval necessary for the specified type or types of development.

11-A. Multimunicipal region. "Multimunicipal region" means a region made up of 2 or more municipalities that work together to cooperatively establish a growth management program or independent growth management programs that are unified with respect to the implementation of the state goal identified in section 4312, subsection 3, paragraph-A A-1. The several

municipalities in a multimunicipal region may establish the region pursuant to section 4325 or chapter 115.

12. Municipal reviewing authority. "Municipal reviewing authority" means the municipal planning board, agency or office, or if none, the municipal officers.

12-A. Placetype. "Placetype" means a definable geographic settlement pattern identifiable by the type of activities that occur there and by a set of characteristics related to its location, including the proximity and relationship to natural resources and rural areas; the size of the developed area; the arrangement of buildings and their uses; the pattern and arrangement of streets; the type of infrastructure available; and the presence of civic spaces and civic buildings.

13-A. Rate of growth ordinance. "Rate of growth ordinance" means a land use ordinance or other rule that limits the number of building or development permits issued by a municipality or other jurisdiction over a designated time frame.

14. Regional council. "Regional council" means a regional planning commission or a council of governments established under chapter 119, subchapter-1 1.

14-A. Service center community. "Service center community" means a municipality or group of municipalities identified by the department according to a methodology established by rule that includes 4 basic criteria, including level of retail sales, jobs-to-workers ratio, the amount of federally assisted housing and the volume of service sector jobs. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

14-B. Rural area. "Rural area" means a geographic area that is identified and designated in a municipality's or multimunicipal region's comprehensive plan as an area that is deserving of ~~some level~~ of regulatory protection from unrestricted development for purposes that may include, but are not limited to, supporting farmland and agriculture, forest land and forestry, mineral resources and mining, open space, erosion mitigation, water retention, wildlife habitat, fisheries habitat, flood buffer areas and flood-prone areas, public water supplies, natural resources, open land and scenic lands, and away from which most development projected over 10 years is diverted. Characteristics of a rural area may include large tracts of open land, areas of conserved lands, working farms and forests and a pattern of development that is spaced apart with dense vegetation or large, open, undeveloped areas between buildings or groupings of buildings.

14-C. Transitional area. ~~"Transitional area" means an area that is designated in a municipality's or multimunicipal region's comprehensive plan as suitable for a share of projected residential, commercial or industrial development but that is neither intended to accept the amount or density of development appropriate for a growth area nor intended to provide the level of protection for rural resources afforded in a rural area or critical rural area.~~

14-D. Suburban area. "Suburban area" means a geographic area characterized by a fragmented development pattern, typically segregated by use, that often occurs on formerly rural land and where roadways are generally curvilinear and noncontiguous.

15-A. Zoning ordinance. "Zoning ordinance" means a type of land use ordinance that divides a municipality into districts and that prescribes and reasonably applies different regulations in each district.

**SUBCHAPTER 2
GROWTH MANAGEMENT PROGRAM
ARTICLE 1: GENERAL PROVISIONS**

§4312. Statement of findings, purpose and goals

1. Legislative findings.

[PL 1991, c. 622, Pt. F, §16 (RP).]

2. Legislative purpose. The Legislature declares that it is the purpose of this Act to:

A. Establish, in each municipality of the State, local comprehensive planning and land use management; [PL 1991, c. 622, Pt. F, §17 (AMD).]

B. Encourage municipalities to identify the tools and resources to effectively plan for and manage future development within their jurisdictions with a maximum of local initiative and flexibility; [PL 1991, c. 622, Pt. F, §17 (AMD).]

C. Encourage local land use ordinances, tools and policies based on local comprehensive plans; [PL 1991, c. 622, Pt. F, §17 (AMD).]

D. Incorporate regional considerations into local planning and decision making so as to ensure consideration of regional needs and the regional impact of development; [PL 1989, c. 104, Pt. A, §45 (NEW); PL 1989, c. 104, Pt. C, §10 (NEW).]

E. [PL 1991, c. 622, Pt. F, §18 (RP).]

F. Provide for continued direct state regulation of development proposals that occur in areas of statewide concern, that directly impact natural resources of statewide significance or that by their scale or nature otherwise affect vital state interests; [PL 2001, c. 578, §7 (AMD).]

G. Encourage the widest possible involvement by the citizens of each municipality in all aspects of the planning and implementation process, in order to ensure that the plans developed by municipalities have had the benefit of citizen input; and [PL 2001, c. 578, §7 (AMD).]

H. [PL 1991, c. 622, Pt. F, §20 (RP).]

~~I. Encourage the development and implementation of multimunicipal growth management programs. Encourage cooperation between municipalities and state agencies, regional councils established under chapter 119, subchapter 1 and nonprofit organizations to develop comprehensive plans that assist municipalities in establishing local land use policies.~~

Sec. 3. 30-A MRSA §4312, sub-§3, as amended by PL 2021, c. 657, §§1 to 4, is further amended to read:

3. State goals. The Legislature hereby establishes a set of state goals to provide overall direction and consistency to the planning and regulatory actions of all state and municipal agencies affecting natural resource management, land use and development. The Legislature declares that, in order to promote and protect the health, safety and welfare of the citizens of the State, it is in the best interests of the State to achieve the following goals:

~~A. To encourage orderly growth and development in appropriate areas of each community and region while protecting the State's rural character, making efficient use of public services and preventing development sprawl;~~

A-1. To encourage municipalities and multimunicipal regions to focus new development in growth areas to enable efficient use of public services and existing infrastructure investments while protecting the State's rural character, working lands, natural resources and natural resource-based industries and preventing development sprawl and sprawl-associated traffic congestion;

~~B. To plan for, finance and develop an a safe and efficient system of public facilities, transportation infrastructure and public services to accommodate anticipated growth and economic development, including planning new development, factoring in life-cycle costs and infrastructure maintenance and replacement;~~

~~C. To promote an economic climate which that increases job opportunities and overall economic well-being;~~

~~D. To promote and work to ensure choice, economic diversity and affordability in housing for low-income and moderate-income households and use housing policy to remove barriers to housing production and to help address disparities in access to educational, occupational and other opportunities;~~

D-1. To promote land use policies and land use ordinances that encourage the siting and construction of attainable housing and affordable housing in reasonable proximity to jobs and services, and to site new housing in locations that decrease household transportation costs and reduce traffic congestion on regional roadways;

- E. To protect and improve the quality and to manage the quantity of the State's water resources, including lakes, aquifers, great ponds, estuaries, rivers and coastal areas;
- F. To protect the State's Critical, Important, and other critical natural resources, including, without limitation, wetlands, wildlife and fisheries habitat, sand dunes, shorelands, scenic vistas and unique natural areas;
- G. To protect the State's marine resources industry, ports and harbors from incompatible development and to promote access to the shore for commercial fishermen and the public;
- H. To safeguard the State's agricultural and forest resources from development ~~which that~~ threatens those resources, including protecting prime forest soils, agricultural soils, access to farmland, and promoting the viability of agriculture, in addition to safeguarding agricultural resources from development;
- I. To preserve the State's historic and archeological resources;
- J. To promote and protect the availability of outdoor recreation opportunities for all Maine citizens, including access to surface waters;
- L. To encourage municipalities to develop policies that accommodate older adults with aging in place ~~and that encourage~~, including the creation of age-friendly communities, appropriate housing and transportation access;
- N. To plan for the effects of ~~the rise in sea level~~ natural hazards such as but not limited to rising sea level, coastal and riverine flooding and extreme weather on buildings, transportation infrastructure, sewage treatment facilities and other relevant state, regional, municipal or privately held infrastructure, property or resources, to build resilience to natural hazards, and to promote consistency with the state climate action plan; and
- O. To develop coastal management policies that are consistent with Title 38 subsection 1801, if any part of the municipality or multimunicipal region is a coastal area.

Sec. 4. 30-A MRSA §4314, sub-§1, as amended by PL 2003, c. 641, §2, is further amended to read:

1. Comprehensive plan. A municipal comprehensive plan adopted or amended by a municipality ~~under former Title 30, chapter 239, subchapter 5 or 6~~ remains in effect until amended or repealed in accordance with the ~~procedures~~, goals and requirements and guidelines established in this subchapter. A comprehensive plan that is submitted to the department for certification prior to the final adoption of rules initiated after July 1, 2026 must be reviewed by the department based on provisions of this subchapter and associated rules in effect as of January 1, 2026.*

Sec. 5. 30-A MRSA §4314, sub-§3, ¶D & ¶ F, as amended by PL 2011, c. 655, Pt. JJ, §16 and affected by §41, are repealed:

~~D. The municipality or multimunicipal region is under contract with the department to prepare a comprehensive plan or implementation program in which case the ordinance or portion of the ordinance remains valid for up to 4 years after receipt of the first installment of its first planning assistance grant or for up to 2 years after receipt of the first installment of its first implementation assistance grant, whichever is earlier;~~

~~F. The municipality or multimunicipal region applied for and was denied financial assistance for its first planning assistance grant or implementation assistance grant under this subchapter due to lack of state funds on or before January 1, 2003. If the department subsequently offers the municipality or multimunicipal region its first planning assistance or implementation assistance grant, the municipality or multimunicipal region has up to one year to contract with the department to prepare a comprehensive plan or implementation program, in which case the municipality's or multimunicipal region's ordinances will be subject to paragraph D; or~~

GROWTH MANAGEMENT PROGRAM ARTICLE 2: GROWTH MANAGEMENT PROGRAMS

Sec. 6. 30-A MRSA §4324, sub-§3, as amended by PL 2001, c. 578, §13, is further amended to read:

3. ~~Citizen~~ Public participation. In order to encourage ~~citizen~~ public participation in the development of a growth management program, municipalities or multimunicipal regions may adopt growth management programs only after establishing a process for active public participation, soliciting and, considering and incorporating a broad range of public input and engagement in formulating the comprehensive plan and inviting and considering public review and comment. The intent of this subsection is to provide for the broad dissemination of proposals and alternatives, opportunity for written comments, open discussions, information dissemination and consideration of and response to public comments, and to ensure that public comment is a factor in the development of a comprehensive plan as described in section 4326-
A. The department shall provide guidance on best practices for soliciting public input as part of the development of a comprehensive plan.

Sec. 7. 30-A MRSA §4324, sub-§8, ¶B, as amended by PL 2003, c. 641, §8, is further amended to read:

B. A copy of the proposed comprehensive plan must be made available for public inspection at each municipal office or other convenient location with regular public hours at least 30 days before the hearing and made available on the municipality's existing publicly accessible website, and by whatever means a municipality regularly publishes their public information. If modification of the plan is proposed pursuant to comments made at a public hearing, and if a follow-up public hearing is to be held, the proposed changes must be made available for public inspection at each municipal office or other convenient location with regular public hours before any follow-up hearing.

Sec. 8. 30-A MRSA §4325, as amended by PL 1991, c. 622, §F28 and by PL 2001, c. 578, §14, is further amended to read:

This section governs cooperative growth management efforts conducted by 2 or more municipalities.

1. Within municipality. Any municipality participating in cooperative growth management activities may exercise its land use planning and management authority over the total land area within its jurisdiction.

2. Multimunicipal region. Any combination of municipalities may conduct joint planning and regulatory programs to meet the requirements of this subchapter upon adoption of a written comprehensive planning and enforcement agreement by the municipal legislative bodies involved. The municipalities must agree:

A. On procedures for ~~joint action in the preparation and adoption of comprehensive plans, whether land use regulations and other implementation measures will be administered within a municipality or by two or more of these municipalities; to be conducted on a multimunicipal basis;~~

B. On the manner of representation on any such joint land use body;

C. On the amount and source of contribution from each municipality for any costs incurred in the development, implementation and enforcement of the comprehensive plan and its implementation program; ~~and and on the method of distributing the benefits or impacts of regional land use, economic development, housing, transportation, infrastructure and other shared plans and programs.~~

D. The comprehensive planning and enforcement agreement must be in writing, approved by the municipal legislative bodies for each municipality and forwarded to the department.

~~3. Requirements. The comprehensive planning and enforcement agreement must be in writing, approved by the municipal legislative bodies and forwarded to the office.~~

Sec. 9. 30-A MRSA §4326, as corrected by RR 2021, c. 2, Pt. A, §109, is repealed.

Sec. 10. 30-A MRSA §4326-A is enacted to read:

§4326-A. Growth management program elements

A growth management program must include at least a comprehensive plan, as described in subsections 1 to 4-A, including a timetable for the implementation program, ~~as described in subsection 5.~~

1. Inventory and Mapping. A comprehensive plan must include:

- A. Mapping of environmental systems data and other information important to making land use decisions which must include, but is not limited to: all critical natural resources, important natural resources, and all data layers provided by the Department of Inland Fisheries and Wildlife's Beginning with Habitat mapping program, including those layers that are subject to state and federal rules and regulations intended to preserve natural resources;
- B. Mapping of Conserved lands, identified using data and maps from federal and state agencies, regional councils, and relevant local sources, as applicable.
- C. Identification of locally important farmland, agricultural soils, forest land, mineral resources, working waterfronts, heritage coastal areas as defined under Title 5, Section 3316, scenic areas, public water supplies, other lands and water important to the local or regional natural resource-based economy, land in Maine tree growth, farmland, open space, and working waterfront protection tax programs; and
- D. A climate vulnerability assessment or local climate action plan.

A comprehensive plan must also designate, and map, and describe:

A. Rural areas, including any critical rural areas deserving of protection from unrestricted development, and open lands, including areas deserving additional protections not currently provided by federal law, state law or regulation or local ordinance. Within areas identified and mapped as rural areas or critical rural areas, the comprehensive plan must identify any existing or proposed placetypes within these rural and critical rural areas, including, but not limited to, placetypes described in department rules such as rural centers, rural farmsteads, rural backlands, adjacent rural lands, or rural roads;

B. Suburban areas, which may include identification of areas of existing suburban development, intended new suburban development, or areas intended to transition from suburban development to another placetype. Within areas mapped as suburban areas, the

comprehensive plan must identify any existing or proposed placetypes within these suburban areas, which may include, but are not limited to, placetypes described in department rules such as advanced suburban areas or suburban roads; and

C. Areas or centers of existing or intended human and community activity, including placetypes not identified in paragraphs A and B that are described in department rules, including existing or proposed downtown, village centers, adjacent neighborhoods and high-impact corridors.

Nothing in this subsection prohibits a municipality or a multimunicipal region from identifying, describing and mapping placetypes not defined in this subchapter or in rules adopted pursuant to this subchapter. A municipality or multimunicipal region may use different names for placetypes defined in this subchapter or in rules adopted pursuant to this subchapter in order to reflect local nomenclature or preferences.

D. Growth Areas, which are placetypes or portions of placetypes identified and mapped pursuant to Section C, where investment by the municipality and the State may be necessary to implement the comprehensive plan. Identification of designated growth areas must be informed by and consistent with the analysis required by subsection 2 and the goals established under subsection 3.

Growth Area Exemption. A municipality or multimunicipal region is not required to identify growth areas within the municipality or multimunicipal region for residential, commercial, industrial, or mixed-use growth if it demonstrates, in accordance with rules adopted by the department pursuant to this article, that: ~~(a) It is not possible to accommodate future residential, commercial or industrial growth within the municipality or multimunicipal region because of severe physical limitations, including, without limitation, the lack of adequate water supply and sewage disposal services, very shallow soils or limitations imposed by protected natural resources.~~

~~(b) The municipality or multimunicipal region has experienced minimal or no residential, commercial or industrial development over the past decade and this condition is expected to continue over the 10-year planning period.; and~~

~~(c) The municipality or multimunicipal region has no downtown or densely developed area.~~

Growth Area Exemption - Interlocal Agreement. The municipality or multimunicipal region may identify as its growth areas one or more growth areas adopted or to be adopted by one or more other municipalities or multimunicipal regions in accordance with an interlocal agreement adopted in accordance with chapter 115 with one or more municipalities or multimunicipal regions.

Continuation of Growth Area Exemption. A municipality or multimunicipal region exercising the discretion afforded by subparagraph 2 this subsection shall review the basis for its demonstration during the periodic revisions undertaken pursuant to section 4347-A.

2. Needs analysis. A comprehensive plan must include a needs analysis that identifies existing conditions or desired conditions within the municipality or multimunicipal region that are necessary to support housing, economic growth and development; protect public health, safety and welfare of the community; and protect the environment and critical resources.

For all areas identified under subsection 1, the comprehensive plan must identify needs related to ensuring protection of critical natural resources, water quality and, as applicable, access to coastal waters for commercial activities and protection of agricultural and forest resources.

The comprehensive plan must include a narrative section describing the analysis conducted pursuant to this section and how it informed the identification of each need listed in the comprehensive plan. The narrative section must describe any public input received, including public input received in response to solicitation of public comment pursuant to section 4324, subsection 3, and how that input informed the identification of needs listed in the comprehensive plan.

3. Goals. The comprehensive plan must include a narrative section that outlines the goals the municipality or multimunicipal region has established to address each of the needs identified under subsection 2. The narrative must describe how the municipality's or the multimunicipal region's goals:

- A. Address the needs identified pursuant to subsection 2.
- B. Align with state goals listed in section 4312; plan must note if a state goal is not applicable to the municipality or multimunicipal region; and
- C. Align with, or if applicable, describe conflict with the goals of the region.

4. Implementation strategy. The comprehensive plan must include a section that describes how the goals established in subsection 3 will be implemented, including:

- A. Identification and a description of land use policies and land use ordinances to be adopted in order to align with the maps created pursuant to this section where those policies and ordinances are applicable;
- B. For municipalities with zoning ordinances, establishment of development standards applicable to implement the goals in section 3;
- C. Plans for capital investment and, if feasible, identification of sources of capital; and
- D. Establishment of the timetable for the implementation program.

Sec. 11. 30-A MRSA §4328, as enacted by PL 2001, c. 592, §2, is amended to read:
§4328. Transfer of development rights

In order to comply with the requirement in section ~~4326~~ 4326-A for each municipality to adopt land use policies and land use ordinances to discourage incompatible development, a municipality may adopt a transfer of development rights program for the transfer of development rights within its boundaries. Two or more municipalities may adopt a program that provides for the transfer of development rights between the municipalities if the municipalities have entered into an interlocal agreement pursuant to chapter 115 for this purpose.

Sec. 12. 30-A MRSA §4346, 2nd ¶, as amended by PL 2021, c. 590, Pt. A, §10, is further amended to read:

The department may enter into financial assistance grants only to the extent that funds are available. In making grants, the department shall consider the need for planning in a municipality or multimunicipal region, the proximity of the municipality or multimunicipal region to other areas that are conducting or have completed the planning process and the economic and geographic role of the municipality or multimunicipal region within a regional context. The department shall give priority in making grants to any municipality or multimunicipal region that has adopted a local climate action plan and, if the municipality or multimunicipal region has adopted a comprehensive plan or growth management program, prepared a climate vulnerability assessment pursuant to ~~section 4326, subsection 1, paragraph L~~. The department may consider other criteria in making grants, as long as the criteria support the goal of encouraging and facilitating the adoption and implementation of local and multimunicipal growth management programs consistent with the ~~procedures, goals, requirements~~ and guidelines established in this subchapter. In order to maximize the availability of the technical and financial assistance program to all municipalities, multimunicipal regions and regional councils, financial assistance programs administered competitively under this article are exempt from rules adopted by the Department of Administrative and Financial Services pursuant to Title 5, section 1825-C for use in the purchase of services and the awarding of grants and contracts. The department shall publish a program statement describing its grant program and advertising its availability to eligible applicants.

Sec. 13. 30-A MRSA §4346, sub-§5, as amended by PL 2013, c. 300, §6, is further amended to read:

5. Coordination. State agencies with regulatory or other authority affecting the goals established in this subchapter shall conduct their respective activities in a manner consistent with the goals established under this subchapter, including, but not limited to, coordinating with municipalities, regional councils and other state agencies in meeting the state goals; providing available information to ~~regions and municipalities as described in section 4326, subsection 4~~ the department, municipalities and multimunicipal regions; cooperating with efforts to integrate and provide access to the department with geographic information and environmental system

data and maps necessary for the inventory and needs analysis components of a comprehensive plan pursuant to section 4346-A; making state investments and awarding grant money as described in section 4349-A; and conducting reviews of growth management programs as provided in section 4347-A, subsection 3, paragraph A. Without limiting the application of this section to other state agencies, the following agencies shall comply with this subchapter:

- B. Department of Economic and Community Development;
- C. Department of Environmental Protection;
- D. Department of Agriculture, Conservation and Forestry;
- E. Department of Inland Fisheries and Wildlife;
- F. Department of Marine Resources;
- G. Department of Transportation;
- G-1. Department of Health and Human Services;
- H. Finance Authority of Maine; and
- I. Maine State Housing Authority.

Sec. 14. 30-A MRSA §4347-A, as amended by PL 2011, c. 655, Pt. JJ, §21 and affected by §41, is further amended to read:

§4347-A. Review of programs by department

1. Comprehensive plans. A municipality or multimunicipal region that chooses to prepare a growth management program and receives a planning grant under this article shall submit its comprehensive plan to the department for review. A municipality or multimunicipal region that chooses to prepare a growth management program without receiving a planning grant under this article may submit its comprehensive plan to the department for review. The department shall review plans for consistency with the ~~procedures~~, goals and requirements and guidelines established in this subchapter. A contract for a planning assistance grant must include specific timetables governing the review of the comprehensive plan by the department. A comprehensive plan submitted for review more than 12 months following a contract end date may be required to contain data, projections and other time-sensitive portions of the plan or program that are in compliance with the department's most current review standards.

2. Growth management programs. A municipality or multimunicipal region may at any time request a certificate of consistency for its growth management program.

A. Upon a request for review under this section, the department shall review the program and determine whether the program is consistent with the ~~procedures~~, goals and requirements and guidelines established in this subchapter.

B. Certification ~~by the former State Planning Office or the department~~ of a municipality's or multimunicipal region's growth management program by the former State Planning Office or the department charged with reviewing growth management programs under this article is valid for

~~40~~ 12 years. To maintain certification, a municipality or multimunicipal region shall periodically review its growth management program and submit to the department in a timely manner any revisions necessary to account for changes, including changes caused by growth and development. Certification does not lapse in any year in which the Legislature does not appropriate funds to the department for the purposes of reviewing programs for recertification.

C. Upon a request for review under this section, the department may review rate of growth, impact fee and zoning ordinances to determine whether the ordinances are consistent with a comprehensive plan that has been found consistent under this section without requiring submission of all elements of a growth management program. An affirmative finding of consistency by the department is required for a municipality or multimunicipal region to assert jurisdiction as provided in section 4349-A.

3. Review of growth management program. In reviewing a growth management program, the department shall:

A. Solicit written comments on any proposed growth management program from regional councils, state agencies, all municipalities contiguous to the municipality or multimunicipal region submitting a growth management program and any interested residents of the municipality or multimunicipal region or of contiguous municipalities. The comment period extends for 45 days after the department receives the growth management program.

(1) Each state agency reviewing the proposal shall designate a person or persons responsible for coordinating the agency's review of the growth management program.

(2) Any regional council commenting on a growth management program shall determine whether the program is compatible with the programs of other municipalities that may be affected by the program and with regional policies or needs identified by the regional council;

B. Prepare all written comments from all sources in a form to be forwarded to the municipality or multimunicipal region;

C. Within 90 days after receiving the growth management program, send all written comments on the growth management program to the municipality or multimunicipal region and any applicable regional council. If warranted, the department shall issue findings specifically describing how the submitted growth management program is not consistent with the ~~procedures~~, goals and requirements and ~~guidelines~~ established in this subchapter, and rules established by the Department, and the recommended measures for remedying the deficiencies.

(1) In its findings, the department shall clearly indicate its position on any point on which there are significant conflicts among the written comments submitted to the department.

(2) If the department finds that the growth management program was adopted in accordance with the ~~procedures~~, goals and requirements and ~~guidelines~~ established in this subchapter, the department shall issue a certificate of consistency for the growth management program.

(3) Notwithstanding paragraph D, if a municipality or multimunicipal region requests a certificate of consistency for its growth management program, any unmodified component of that program that has previously been reviewed by the former State Planning Office or the department and has received a finding of consistency will retain that finding during program certification review by the department as long as the finding of consistency is current as defined in rules adopted by the department;

D. Provide ample opportunity for the municipality or multimunicipal region submitting a growth management program to respond to and correct any identified deficiencies in the program. A finding of inconsistency for a growth management program may be addressed within 24 months of the date of the finding without addressing any new review standards that are created during that time interval. After 24 months, the program must be resubmitted in its entirety for state review under the department's most current review standards; and

E. Provide an expedited review and certification procedure for those submissions that represent minor amendments to certified growth management programs.
The department's decision on consistency of a growth management program constitutes final agency action.

3-A. Review of comprehensive plan. In reviewing a comprehensive plan, the department shall:

A. Solicit written comments on any proposed comprehensive plan from regional councils, state agencies, all municipalities contiguous to the municipality or multimunicipal region submitting a comprehensive plan and any interested residents of the municipality or multimunicipal region or of contiguous municipalities. The comment period extends for ~~25~~ 20 business days after the department receives the comprehensive plan. Each state agency reviewing the proposal shall designate a person or persons responsible for coordinating the agency's review of the comprehensive plan;

B. Prepare all written comments from all sources in a form to be forwarded to the municipality or multimunicipal region;

C. Within ~~35~~ 40 business days after receiving the comprehensive plan, ~~notify the municipality or multimunicipal region if the plan is complete for purposes of review. If the department notifies the municipality or multimunicipal region that the plan is not complete for purposes of review, the department shall indicate in its notice necessary additional data or information make a determination whether a plan is consistent or inconsistent based on a review of the requirements of this subchapter;~~

~~D. Within 10 business days of issuing notification that a comprehensive plan is complete for purposes of review, issue findings specifically describing whether the submitted plan is consistent with the procedures, goals and guidelines established in this subchapter and identify which inconsistencies in the plan, if any, may directly affect rate of growth, zoning or impact fee ordinances.~~

~~(1) In its findings, the department shall clearly indicate its position on any point on which there are significant conflicts among the written comments submitted to the department.~~

~~(2) If the department finds that the comprehensive plan was developed in accordance with the procedures, goals and guidelines established in this subchapter, the department shall issue a finding of consistency for the comprehensive plan.~~

~~(3) A finding of inconsistency must identify the goals under this subchapter not adequately addressed, specific sections of the rules relating to comprehensive plan review adopted by the department not adequately addressed and recommendations for resolving the inconsistency;~~

D-1. If the department finds that a comprehensive plan was developed in accordance with the goals, requirements and guidelines established in this subchapter, issue a finding of consistency for the comprehensive plan . If the department finds that a comprehensive plan does not meet the requirements established in this subchapter, the department shall issue a finding of inconsistency and provide to the municipality or multimunicipal region recommendations for resolving the inconsistency;

E. Send all written findings and comments on the comprehensive plan to the municipality or multimunicipal region and any applicable regional council; and

F. Provide ample opportunity for the municipality or multimunicipal region submitting a comprehensive plan to respond to and ~~correct any identified deficiencies in the plan~~ revise the plan to be consistent with the goals, and requirements and guidelines of this subchapter. A finding of inconsistency for a comprehensive plan may be addressed within 24 months of the date of the finding without addressing any new review standards that are created during that time interval. After 24 months, the plan must be resubmitted in its entirety for state review under the department's most current review standards.

If the department finds that a plan is not consistent with the ~~procedures~~ goals and requirements and ~~guidelines~~ established in this subchapter, and in the rules and guidance established by the Department as defined in this sub-chapter, the municipality or multimunicipal district region that submitted the plan may appeal that finding to the department within 20 business days of receipt of the finding in accordance with rules adopted by the department, which are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

The department's decision on consistency of a comprehensive plan constitutes final agency action.

A finding by the department pursuant to paragraph ~~D~~ D-1 that a comprehensive plan is consistent with the ~~procedures~~, goals and requirements and ~~guidelines~~ established in this subchapter is valid for 12 years from the date of its issuance. ~~A finding by the former State Planning Office issued pursuant to this subchapter prior to December 31, 2000 that a comprehensive plan is consistent with the procedures, goals and guidelines established in this subchapter is valid until December 31, 2012.~~ For purposes of section 4314, subsection 3 and

section 4352, subsection 2, expiration of a finding of consistency pursuant to this subsection does not itself make a comprehensive plan inconsistent with the procedures, goals, requirements and guidelines established in this subchapter.

4. Updates and amendments. A municipality or multimunicipal region may submit proposed amendments to a comprehensive plan or growth management program to the department for review in the same manner as provided for the review of new plans and programs. Subsequent to voluntary certification under this subsection, the municipality or multimunicipal region shall file a copy of an amendment to a growth management program with the department within 30 days after adopting the amendment and at least 60 days prior to applying for any state grant program that offers a preference for consistency or certification.

5. Regional councils. Subject to the availability of funding and pursuant to the conditions of a contract, each regional council shall review and submit written comments on the comprehensive plan or growth management program of any municipality or multimunicipal region within its planning region. The comments must be submitted to the department and contain an analysis of:

- A. Whether the comprehensive plan or growth management program is compatible with identified regional policies and needs; and
- B. Whether the comprehensive plan or growth management program is compatible with plans or programs of municipalities or multimunicipal regions that may be affected by the proposal.

Sec. 15. 30-A MRSA §4352, sub-§6, as amended by PL 2003, c. 688, Pt. C, §20, is further amended to read:

6. Effect on State. A zoning ordinance that is not consistent with a comprehensive plan that is consistent with the provisions of section 4326 4326-A is advisory with respect to the State. Except as provided in this section, a state agency shall comply with a zoning ordinance consistent with a comprehensive plan that is consistent with the provisions of section 4326 4326-A in seeking to develop any building, parking facility or other publicly owned structure. The Governor or the Governor's designee may, after public notice and opportunity for public comment, including written notice to the municipal officers, waive any use restrictions in those ordinances upon finding that:

- A. The proposed use is not allowed anywhere in the municipality;
- B. There are no reasonable alternative sites for or configurations of the project within the municipality that would achieve the necessary public purposes;
- C. There are no reasonable alternatives to the project, including sites in other municipalities, that would achieve the necessary public purposes;
- D. The project will result in public benefits beyond the limits of the municipality, including without limitation, access to public waters or publicly owned lands; and
- E. The project is necessary to protect the public health, welfare or environment.

A decision to waive a restriction under this section may be appealed by the municipality or any aggrieved party to Superior Court.

Sec. 16. 30-A MRSA §5953-D, sub-§3, ¶D, as amended by PL 2011, c. 655, Pt. JJ, §27 and affected by §41 and amended by c. 657, Pt. W, §5, is further amended by amending subparagraph (2), division (a) to read:

(a) Has adopted a comprehensive plan that is determined by the Maine Office of Community Affairs ~~the Executive Department, former State Planning Office or the Department of Agriculture, Conservation and Forestry to be consistent with section 4326, subsections 1 to 4~~ consistent with section 4326-A.

Sec. 17. 30-A MRSA §5953-D, sub-§4-A, as amended by PL 2003, c. 288, §3, is further amended to read:

4-A. Criteria; conditions for downtown improvement grants or loans. The Department of Economic and Community Development, in conjunction with the bank, shall develop criteria and conditions for the award of downtown improvement grants or loans to eligible municipalities after consultation with the state agencies listed in subsection 5 and subject to the requirements of this section. The department shall establish a preference for municipalities that are regional service centers or urban compact municipalities or have adopted a comprehensive plan consistent with section ~~4326~~ 4326 A.

Sec. 18. Department to adopt rules. The Maine Office of Community Affairs shall amend existing rules governing the growth management program to be consistent with the laws governing the program as amended by this Act. Notwithstanding the Maine Revised Statutes, Title 30-A, section 4312, subsection 4, rules adopted pursuant to this section are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A. The following placetype descriptions must be incorporated into the rules.

1. Adjacent neighborhood. "Adjacent neighborhood" means a primarily residential area located adjacent to a village center, downtown or high-impact corridor. Adjacent neighborhoods are predominantly developed for residential activities and are typically arranged along a network of interconnected streets.

2. Adjacent rural lands. "Adjacent rural lands" means large undeveloped land areas adjacent to rural backlands and to areas where there is development activity. Adjacent rural lands typically include land located behind lots along rural roads or adjacent to a rural center, village center, or other placetype. Adjacent rural lands can also be located adjacent to suburban areas. Because of proximity to land where development is present, adjacent rural lands are a high priority for local planning and policy work to verify goals for future land use.

3. Advanced suburban area. "Advanced suburban area" means an area where low-density development has spread from the road frontage deeper into lots and to adjacent rural land. Development within these areas is typically segregated by use and may include commercial strip malls, regional shopping centers, so-called big box retail development, office parks, residential subdivisions and other forms of single-use development. Advanced suburban areas

result in disconnected development and fragmented open spaces disconnected from a larger network of habitat corridors, trails and other natural systems.

4. Rural backlands. "Rural backlands" means geographically isolated areas with no direct frontage onto public roads. Rural backlands often have very little or no development and may be intersected by trails and utility corridors. These areas may contain conserved lands, critical natural resources and important natural resources. Depending on local municipal land use policies, rural backlands may be targeted for conservation, as working lands, or for development that limits impacts on wildlife, water management, agricultural uses and active outdoor recreation activities.

5. Rural center. "Rural center" means an area with a grouping of 2 or more buildings that have formed a center of community within a rural area. It may include historic or architecturally important or significant buildings. A rural center can vary in size but is geographically smaller in size than a village center placetype.

6. Rural farmstead. "Rural farmstead" means a parcel of land that serves or has the potential to serve as a mixed-use, resource-based economic center of activity in a rural area. A rural farmstead may consist of adjacent buildings on a single parcel that support the commercial, residential and economic needs of a rural agricultural or forestry business. A rural farmstead allows for mixed-use development in rural areas to provide economic options to rural landowners while also safeguarding the agricultural and forest sectors from fragmented low-density development.

7. Rural road. "Rural road" means a road that has the characteristics of a rural area, with homes and businesses occurring at infrequent intervals on lots that often exceed 5 acres in size, and are frequently much larger, with driveways that typically occur at an average of every 500 feet or more. Rural roads have no geographic center, except where punctuated by rural centers.

8. Suburban road. "Suburban road" means an area along the frontage of a road where incremental development slowly transitions a rural road to a suburban one. Suburban roads have more frequent curb cuts than a rural road, typically occurring at an average of every 500 feet or less. Buildings are typically located on lots of one to 3 acres, created through lot splits and subdivisions of larger parcels. Development typically includes a range of uses, including residential, commercial, industrial and office uses, each separated from the other. Buildings are typically located within view of the road and each other, changing the perception of the area from rural to suburban.

9. Village Center. "Village Center" means an area with a loose grouping of buildings accommodating a variety of uses and serving as a center for commerce, living, education and social interaction within a community. Village centers typically include a loose network of streets, with a main street running through the center. The placement of buildings on lots, the distance between buildings and the pattern of streets and blocks are looser and more irregular than a downtown placetype.

Sec. 19. Department to convene stakeholder group. Prior to initiating rulemaking as required by this Act, the Director of the Maine Office of Community Affairs (MOCA) shall convene a stakeholder group for the purpose of soliciting input on the development of rules necessary to implement the Maine Revised Statutes, Title 30-A, chapter 187, subchapter 2, as

amended by this Act. The stakeholder group may not exceed 17 members, excluding the director. Members of the stakeholder group must represent the following agencies or groups:

A. The director of the Maine Office of Community Affairs;

B. The program director of the Municipal Planning Assistance Program;

C. A representative of the Housing Opportunity Program, as designated by the program's director;

D. A representative of the Climate Resilience Program, as designated by the program's director;

E. A representative of the Governor's Office of Innovation and the Future with expertise in housing, as designated by the director; and

F. The director of the maine state housing authority or the director's designee.

The following members, selected by and serving at the pleasure of the director of the Maine Office of Community Affairs:

1. A representative of a statewide association of municipalities
2. A representative of a statewide organization that advocates for farmland protection and farm viability
3. A representative of a statewide organization that advocates for smart growth
4. A representative of a statewide organization that represents land use planners
5. A representative of a statewide organization that advocates for conservation of Maine wildlife and wildlife habitat
6. A representative of a statewide organization that advocates for the creation and preservation of affordable housing
7. A representative of a statewide organization advocating for responsible development and ownership of real estate
8. Representatives from at least 3 municipalities of varying populations; at least one representative is from a municipality which has completed a comprehensive plan that incorporates place types
9. Representatives from at least two regional councils as established under Title 30-A, chapter 119, subchapter (RPO)

Sec. 20. Department to develop guidance for public participation. The Maine Office of Community Affairs shall develop guidance materials describing strategies for soliciting, encouraging and incorporating public input into the development of a comprehensive plan and as required by the Maine Revised Statutes, Title 30-A, section 4324, subsection 3. At a minimum, the guidance materials must include:

1. Strategies to solicit input from all demographic groups of residents, including historically underrepresented persons, through a series of public events and activities, including hands-on workshops, work sessions or focused roundtable meetings;

2. Effective methods to advertise events and activities through a combination of print and digital platforms in advance of the events and activities;
3. Multiple methods to provide opportunities for the public to contribute ideas, discuss key issues facing the community, set priorities and develop policies and strategies to address local challenges, including, but not limited to, seeking input through digital and paper surveys, questionnaires, visual preference surveys and other means;
4. Methodologies to analyze the public input and use the input to prepare a draft of the comprehensive plan and meet the requirements for a comprehensive plan under Title 30 A, section 4326-A; and
5. Ways to make a draft comprehensive plan easily accessible to the public to solicit feedback from the public on the draft comprehensive plan.

Sec. 21. Savings clause. This Act does not apply to a comprehensive plan or growth management program under the Maine Revised Statutes, Title 30-A, section 4314, subsection 1 that was submitted to the Department of Agriculture, Conservation and Forestry for certification before the final adoption of rules necessary to implement Title 30-A, chapter 187, subchapter 2 as authorized by Title 38, section 4312 and affected by section 19 of this Act.

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

