

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 in section 1 in §4362 by striking out all of subsection 2 (page 1, lines 20 to 24 in L.D.) and inserting the following:

**2. Small wireless facilities.** Notwithstanding any zoning or land use ordinance to the contrary, a small wireless facility must be a permitted use within the public right-of-way, subject to permitting requirements and duly adopted, nondiscriminatory conditions otherwise applicable to permitted uses within the municipality and consistent with state and federal law, including, without limitation, any permitting requirements in Title 35-A, chapter 25. This section does not affect or alter the rights and responsibilities of a cable television company under the franchise agreement executed pursuant to section 3008, subsection 5.

## SUMMARY

This amendment clarifies that small wireless facilities are subject to permits and permitting requirements and that this legislation does not alter a franchise agreement between a cable television company and a municipality.