

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 117

H.P. 93

House of Representatives, January 11, 2005

An Act To Amend Provisions of the Maine Land Use Regulation Commission Law

Submitted by the Department of Conservation pursuant to Joint Rule 204.
Reference to the Committee on Agriculture, Conservation and Forestry suggested and
ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative PIOTTI of Unity.
Cosponsored by Senator NUTTING of Androscoggin and
Representatives: CARR of Lincoln, LUNDEEN of Mars Hill, PINEAU of Jay, SHERMAN of
Hodgdon, Senator: BRYANT of Oxford.

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

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4 **Sec. 1. 12 MRSA §685-B, sub-§2, ¶B**, as amended by PL 1995, c. 487, §1, is repealed.

6 **Sec. 2. 12 MRSA §685-E, last ¶**, as amended by PL 2003, c. 688, Pt. C, §2, is further amended to read:

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10 Beginning with fiscal year 2003-04, a town or a plantation
12 in the commission's jurisdiction or a portion of a town or
14 plantation within the commission's jurisdiction that elects not
16 to administer land use controls at the local level but receives
18 commission services, including planning, permitting and ensuring
20 compliance, must be assessed a fee equal to .01% of the most
22 recent equalized state valuation established by the State Tax
24 Assessor for that town or plantation or that portion of a town or
26 plantation within the commission's jurisdiction. The State Tax
28 Assessor shall issue a warrant to each ~~such~~ town or plantation or
30 that portion of a town or plantation within the commission's
 jurisdiction no later than March 1st of each year. The warrant
 is payable on demand. Interest charges on unpaid fees begin on
 June 30th of each year and are compounded monthly at the interest
 rate for unpaid property tax as established by the State Tax
 Assessor for the unorganized territory. For any assessment that
 remains unpaid as of September 1st of the year in which it is
 due, state revenue sharing to that town or plantation or that
 portion of a town or plantation within the commission's
 jurisdiction must be reduced by an amount equal to any unpaid
 warrant amount plus any accrued interest, until the amount is
 paid. These fees must be deposited to the General Fund.

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SUMMARY

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36 This bill allows a fee to be assessed by the Maine Land Use
38 Regulation Commission, LURC, for a zoning petition that seeks to
40 change an area's designation from General Management Subdistrict
42 to a development subdistrict and deletes duplicative language
 already found in the schedule of fees section of chapter 1 of
 LURC's rules. This bill also allows a land use service fee
 assessment based only on the state valuation for the portion of a
 town or plantation that is within the jurisdiction of LURC or
 annexed lands that abut organized municipalities.