

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 103

H.P. 68

House of Representatives, January 8, 2025

An Act to Reorganize and Simplify Certain Exceptions in the Use Regulation Law

Submitted by the Department of Agriculture, Conservation and Forestry pursuant to Joint Rule 204.

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative PLUECKER of Warren.

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

2 **Sec. 1. 12 MRSA §682, sub-§15**, as repealed and replaced by PL 2001, c. 402, §1,
3 is amended to read:

4 **15. Campsite Minor campground.** "Campsite" "Minor campground" means a
5 camping location containing tents, registered tent trailers, registered pickup campers,
6 registered recreational vehicles, registered trailers or similar devices used for camping.
7 "Campsite" "Minor campground" does not include a camping location that has access to a
8 pressurized water system or permanent structures other than outhouses, fireplaces, picnic
9 tables, picnic tables with shelters or lean-tos. A campsite minor campground may be
10 designed to contain a maximum of 4 camping sites for transient occupancy by 12 or fewer
11 people per site, or numbers of sites and occupancy rates consistent with a landowner's
12 recreational policy filed with the commission. The commission may require a campsite
13 permit if it determines that the recreational policy is inconsistent with the commission's
14 comprehensive land use plan.

15 **Sec. 2. 12 MRSA §685-A, sub-§5**, as amended by PL 2009, c. 111, §1, is further
16 amended by repealing the 4th blocked paragraph.

17 **Sec. 3. 12 MRSA §685-B, sub-§1-A, ¶B**, as amended by PL 2011, c. 682, §14, is
18 repealed.

19 **Sec. 4. 12 MRSA §685-B, sub-§1-A, ¶B-1**, as amended by PL 2015, c. 265, §2
20 and affected by §10, is repealed.

21 **Sec. 5. 12 MRSA §685-B, sub-§1-A, ¶B-2**, as reallocated by RR 2011, c. 2, §8
22 and affected by §10, is repealed.

23 **Sec. 6. 12 MRSA §685-B, sub-§1-A, ¶C**, as amended by PL 2009, c. 270, Pt. D,
24 §2, is further amended to read:

25 C. A permit is not required for a campsite minor campground in a management district;

26 **Sec. 7. 12 MRSA §685-B, sub-§1-A, ¶D**, as enacted by PL 2009, c. 270, Pt. D,
27 §3, is amended to read:

28 D. A permit is not required for an offshore wind energy demonstration project
29 approved by the Department of Environmental Protection pursuant to Title 38, section
30 480-HH. Notice of the intent to develop and a map indicating the location of the
31 proposed development must be filed with the commission prior to or concurrently with
32 submission of an application to the Department of Environmental Protection pursuant
33 to Title 38, section 480-HH; and

34 **Sec. 8. 12 MRSA §685-B, sub-§1-A, ¶E**, as amended by PL 2009, c. 615, Pt. F,
35 §1, is further amended to read:

36 E. A permit or other approval by the commission is not required for a hydropower
37 project that uses tidal or wave action as a source of electrical or mechanical power or
38 is located partly within an organized municipality and partly within an unorganized
39 territory-;

40 **Sec. 9. 12 MRSA §685-B, sub-§1-A, ¶F** is enacted to read:

1 F. Except for projects that are located in a planned subdistrict that was approved or
2 accepted by the commission for processing prior to September 1, 2012, a permit is not
3 required for those aspects of a project approved by the Department of Environmental
4 Protection pursuant to Title 38, chapter 3, subchapter 1, article 5-A if the commission
5 determines that the project is an allowed use within the subdistrict or subdistricts for
6 which it is proposed. Notice of the intent to develop and a map indicating the location
7 of the proposed development must be filed with the commission prior to or
8 concurrently with the submission of a development application to the Department of
9 Environmental Protection;

10 **Sec. 10. 12 MRSA §685-B, sub-§1-A, ¶G** is enacted to read:

11 G. Except for projects located in a planned subdistrict approved or accepted by the
12 commission for processing prior to September 1, 2012, a permit from the commission
13 is not required for development requiring a permit from the Department of
14 Environmental Protection pursuant to:

15 (1) The site location of development law, Title 38, chapter 3, subchapter 1, article
16 6;

17 (2) The Maine Metallic Mineral Mining Act, Title 38, chapter 3, subchapter 1,
18 article 9; and

19 (3) The Maine Hazardous Waste, Septage and Solid Waste Management Act, Title
20 38, chapter 13.

21 A person who qualifies for an exception under this paragraph by being required to
22 submit a permit application to the Department of Environmental Protection for a
23 proposed development located wholly or in part within the unorganized or deorganized
24 areas of the State shall file a notice of the intent to develop and a map indicating the
25 location of the proposed development with the commission prior to or concurrently
26 with the submission of an application to the Department of Environmental Protection.

27 The Department of Environmental Protection must receive certification from the
28 commission that the proposed development is an allowed use within the subdistrict or
29 subdistricts for which it is proposed and that the proposed development meets any land
30 use standard established by the commission that is not considered in the department's
31 review before issuing a permit.

32 The commission may not certify that a proposed expedited wind energy development,
33 as defined in Title 35-A, section 3451, subsection 4, within the expedited permitting
34 area, as defined in Title 35-A, section 3451, subsection 3, is an allowed use if a relevant
35 petition is pending under Title 35-A, section 3453-A, subsection 1.

36 This subsection may not be construed as prohibiting the commission from enforcing
37 the land use standards certified to the Department of Environmental Protection under
38 this paragraph; and

39 **Sec. 11. 12 MRSA §685-B, sub-§1-A, ¶H** is enacted to read:

40 H. A permit from the commission is not required for the repair or maintenance of
41 county-owned roads, bridges or culverts as long as the repair or maintenance is
42 conducted in accordance with commission standards that pertain to these activities.

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SUMMARY

This bill reorganizes and simplifies certain exceptions in the use regulation law and the provisions in the Maine Revised Statutes, Title 12 that address procedures for the Land Use Planning Commission and the Department of Environmental Protection to streamline cross-jurisdictional projects and processes.