

# MAINE STATE LEGISLATURE

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ACTS, RESOLVES AND CONSTITUTIONAL RESOLUTIONS

AS PASSED BY THE

One Hundred and Sixth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

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THE KNOWLTON AND McLEARY COMPANY  
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PUBLIC LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
**One Hundred and Fifth Legislature**  
AT THE  
SPECIAL SESSION

January 24, 1972

to

March 10, 1972

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transferred to the proper place in the new structure by the State Controller, upon the recommendation of the department head, the State Budget Officer and upon approval by the Governor and Executive Council.

**Sec. 17. Effective date.** This Act shall become effective July 1, 1972.

Effective July 1, 1972

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## CHAPTER 619

### AN ACT to Revise the Maine Land Use Regulation Commission Law.

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

**Sec. 1. R. S., T. 12, § 683, amended.** The 3rd sentence of section 683 of Title 12 of the Revised Statutes, as enacted by chapter 494 of the public laws of 1969 and as amended by section 3 of chapter 457 of the public laws of 1971, is further amended to read as follows:

The commission shall consist of 3 permanent members: The Director of Parks and Recreation, the Forest Commissioner and the State Planning Director; or their designated alternates and 4 members serving staggered 4-year terms to be appointed by the Governor with the advice and consent of the Council.

**Sec. 2. R. S., T. 12, § 684, amended.** Section 684 of Title 12 of the Revised Statutes, as enacted by chapter 494 of the public laws of 1969 and amended by section 4 of chapter 457 of the public laws of 1971, is further amended by adding a new paragraph at the end to read as follows:

Whenever the commission is required or empowered to conduct a hearing pursuant to any provision of law, such hearing may be held and conducted by the commission or by any member of the commission or by any qualified employee or representative of the commission as the commission may determine. If the hearing is conducted by a single commissioner or qualified employee or representative, such commissioner, employee or representative shall report his findings of fact and conclusions to the commission together with a transcript of the hearing and all exhibits. Such findings of fact and conclusions shall become a part of the record. The commission shall not be bound by such findings or conclusions when acting upon such record, but shall take such action, issue such orders and make such decisions as if it had held and conducted the hearing itself.

**Sec. 3. R. S., T. 12, § 685-A, sub-§ 7, amended.** The second paragraph of subsection 7 of section 685-A of Title 12 of the Revised Statutes, as enacted by section 5 of chapter 457 of the public laws of 1971, is amended as follows:

At least 30 days prior to holding a public hearing, the commission shall give notice of said hearing to the owners of **directly** affected lands by ~~certified or registered mail, return receipt requested~~ according to their names and addresses as shown on the records of the Bureau of Taxation.

**Sec. 4. R. S., T. 12, § 685-A, sub-§ 7, amended.** The 2nd sentence of the 6th paragraph of subsection 7 of section 685-A of Title 12 of the Revised Statutes, as enacted by section 5 of chapter 457 of the public laws of 1971, is amended to read as follows:

A complete verbatim ~~transcript~~ recording shall be made of all hearings held pursuant to this section.

**Sec. 5. R. S., T. 12, § 685-A, sub-§ 10, amended.** The last paragraph of subsection 10 of section 685-A of Title 12 of the Revised Statutes, as enacted by section 5 of chapter 457 and as repealed and replaced by section 28-E of chapter 544, both of the public laws of 1971, is repealed and the following enacted in place thereof:

The commission may conduct a hearing within 45 days from the receipt of the petition and shall notify such persons and agencies that may have an interest in the subject matter of the time and place of the hearing.

**Sec. 6. R. S., T. 12, § 685-B, sub-§ 1, ¶ C, amended.** The 2nd sentence of paragraph C of subsection 1 of section 685-B of Title 12 of the Revised Statutes, as enacted by section 5 of chapter 457 of the public laws of 1971, is repealed and the following enacted in place thereof:

The commission may waive the requirement of a hearing for any person having received approval by the Environmental Improvement Commission pursuant to the Site Location of Development Law, Title 38, sections 481 to 488.

**Sec. 7. R. S., T. 12, § 685-B, sub-§ 3, amended.** The 2nd paragraph of subsection 3 of section 685-B of Title 12 of the Revised Statutes, as enacted by section 5 of chapter 457 of the public laws of 1971, is amended to read as follows:

The commission shall adopt, and may amend and repeal rules of conduct of hearings and shall make a complete verbatim ~~transcript~~ recording of all hearings held pursuant to this section.

Effective June 9, 1972

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## CHAPTER 620

### AN ACT Implementing the Reorganization of the Department of Manpower Affairs.

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

**Sec. 1. R. S., T. 26, § 41, amended.** Section 41 of Title 26 of the Revised Statutes, as amended, is further amended to read as follows: