

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 14

H. P. 9

Office of the Clerk of the House

Filed November 27, 1974 under Joint Rule 6 by Mr. Finemore of Bridgewater. To be printed and delivered to the House of Representatives of the 107th Legislature.

E. LOUISE LINCOLN, Clerk

Presented by Mr. Finemore of Bridgewater.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT to Abolish the Land Use Regulation Commission.

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

Sec. 1. 2 MRSA, § 6, sub-§ 5, next to last line, as enacted by P & SL 1973, c. 207, § 8, is repealed.

Sec. 2. 12 MRSA, c. 206-A, as amended, is repealed.

Sec. 3. 12 MRSA, § 4813, as last repealed and replaced by PL 1973, c. 564, § 5, is amended to read:

§ 4813. Municipal failure to accomplish purposes

If any municipality fails to adopt ordinances as required by section 4182 for shoreland areas as defined in section 4811 or if the Board of Environmental Protection ~~and the Maine Land Use Regulation Commission determine~~ determines that particular municipal ordinances because of their laxity and permissiveness do not adequately prevent and control water pollution, protect wildlife habitat, conserve shore cover or otherwise fail to accomplish the purposes outlined in section 4811, the Department of Environmental Protection ~~and the Maine Land Use Regulation Commission~~ shall, following consultation with the State Planning Office, with respect to these shoreland areas, adopt suitable ordinances for these municipalities, which ordinances the respective municipalities shall then administer and enforce.

The Department of Environmental Protection ~~and the Maine Land Use Regulation Commission~~, acting pursuant to the administrative direction of the State Planning Office, shall by December 15, 1973 adopt minimum guide-

lines for the protection of shoreland areas reflecting considerations of preventing and controlling water pollution, protecting spawning grounds, fish, aquatic life, bird and other wildlife habitat, location and size of structures and signs and conserving shore cover. The incorporation of such guidelines into a municipal regulatory ordinance shall be deemed sufficient to meet the requirements of this section.

Sec. 4. 12 MRSA, § 4814, first ¶, as last repealed and replaced by PL 1973, c. 564, § 6, is amended to read:

The Board of Environmental Protection ~~and the Maine Land Use Regulation Commission~~, municipalities and all state agencies shall mutually cooperate to accomplish the objectives of this chapter. To that end, the board and the commission shall consult with the governing bodies of municipalities and to whatever extent necessary with other state agencies to secure voluntary uniformity of regulations, so far as practicable, and shall extend all possible assistance therefor. The State Planning Office shall be responsible for coordinating the efforts and responsibilities of the Board of Environmental Protection ~~and the Maine Land Use Regulation Commission~~ acting pursuant to this chapter.

Sec. 5. 30 MRSA, § 4162, sub-§ 3, next to the last sentence, as last amended by PL 1973, c. 460, §§ 19 and 20, is further amended to read:

The Commissioner of the Department of Conservation shall be entitled to the full cooperation of the Maine Mining Bureau, Department of Inland Fisheries and Game, Bureau of Parks and Recreation, ~~Land Use Regulation Commission~~ and State Planning Office in compiling and maintaining the inventory of the public reserved lands and shall consult with those agencies as well as other appropriate state agencies in the preparation and maintenance of the comprehensive management plan for the public reserved lands.

Sec. 6. 30 MRSA, § 4162, sub-§ 4, ¶ F, as enacted by PL 1973, c. 628, § 14, is amended to read:

F. With the consent of the Governor and Council and subject to the approval of the Maine Mining Bureau ~~the Land Use Regulation Commission~~ and of the Department of Environmental Protection under Title 10, chapter 451, Mining and Rehabilitation of Land, grant mining rights;

STATEMENT OF FACT

The purpose of this Act is to abolish the Land Use Regulation Commission.