

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1228

H. P. 1010

House of Representatives, March 23, 1977

On Motion of Mr. Curran of South Portland referred to the Committee on State Government. Sent up for concurrence and 1,800 ordered printed.

EDWIN H. PERT, Clerk

Presented by Mrs. Berube of Lewiston.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

**AN ACT to Revise the Law Relating to the Land Use Regulation
Commission.**

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

Sec. 1. 12 MRSA c. 206-A, sub-c. II, 1st 2 lines, are repealed and the following enacted in their place:

SUBCHAPTER II

MAINE LAND USE COMMISSION

Sec. 2. 12 MRSA § 683, as last amended by PL 1975, c. 771, § 136, is further amended to read:

§ 683. Creation of Maine Land Use Commission

To carry out the purposes stated in section 681 there is created, within the Department of Conservation, the Maine Land Use ~~Regulation~~ Commission, hereinafter in this chapter called the "commission". The commission is charged with implementing this chapter in all of the unorganized and deorganized areas of the State. The commission shall consist of 7 public members, none of whom shall be state employees, who shall be appointed by the Governor, subject to review by the Joint Standing Committee on Natural Resources and to confirmation by the Legislature, for staggered 4-year terms. Among the public members, there shall be ~~4~~ 5 who shall be knowledgeable in at least one of each of the following areas: Commerce and industry; fisheries and wildlife; forestry; ~~and~~ conservation; and preservation of the environment.

Of the initial appointees, 2 shall be appointed for one-year terms, 2 shall be appointed for 2-year terms and 2 shall be appointed for 3-year terms. There-

after, appointees shall be appointed to serve 4-year terms. One of the members shall be elected annually by the members as chairman.

Sec. 3. 12 MRSA § 685, 1st sentence, as amended by PL 1973, c. 460, § 15, is repealed and the following enacted in its place:

The Commissioner of Conservation shall prepare a biennial budget and shall submit to the Legislature requests for appropriations sufficient to carry out its assigned tasks.

Sec. 4. 12 MRSA § 685, as last amended by PL 1975, c. 521, § 1, is further amended by adding at the end the following new sentence:

The director, with the approval of the commission, shall establish 4 regional offices at locations convenient to the public. Whenever possible, these offices shall be located to share space and facilities with other divisions and bureaus of the Department of Conservation.

Sec. 5. 12 MRSA § 685-B, sub-§ 2, ¶ B, as enacted by PL 1971, c. 457, § 5, is repealed and the following enacted in its place:

B. The fee according to the following schedule:

| Estimated total development costs | Fee |
|-----------------------------------|-------|
| \$ 0 to \$ 10,000 | \$ 5 |
| \$ 10,001 to \$ 50,000 | \$ 10 |
| \$ 50,001 to \$ 250,000 | \$ 50 |
| \$250,001 to \$1,000,000 | \$100 |
| over \$1,000,000 | \$500 |

Sec. 6. Appropriation. There is appropriated from the General Fund to the Department of Conservation, Maine Land Use Commission the sum of \$56,800, for the fiscal year ending June 30, 1978 and the sum of \$56,800, for the fiscal year ending June 30, 1979 for the purpose of funding the incoming Wats line to respond to citizen requests for information on the Land Use Commission laws and regulations and the establishment of 4 regional offices. The breakdown shall be as follows:

| | 1977-78 | 1978-79 |
|--|-----------------|-----------------|
| CONSERVATION, DEPARTMENT OF Maine Land Use Commission | | |
| Personal Services | (4) \$40,800 | (4) \$40,800 |
| All Other | 12,000 | 12,000 |
| Telephone Wats line | 4,000 | 4,000 |
| Total | <u>\$56,800</u> | <u>\$56,800</u> |

Any balance remaining in this fund shall carry forward until June 30, 1979 to be used for the same purposes.

STATEMENT OF FACT

Section 1 changes the name of the commission to better describe its activities which are more concerned with planning than regulation.

Section 2 increases the number of public members on the commission from 4 to 5.

Section 3 provides that the Commissioner of Conservation shall prepare the budget.

Section 4 provides for 4 regional offices to give the public access to the assistance available and to give the agency a more efficient structure.

Section 5 establishes a fee structure related to the cost of the project and is simple to calculate.

Section 6 appropriates \$113,600 to carry out the purposes of the bill.