

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1291

S. P. 419

In Senate, March 19, 1979

Referred to the Committee on Energy and Natural Resources. Sent down for concurrence and ordered printed.

Presented by Senator Chapman of Sagadahoc.

MAY M. ROSS, Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Remove the Continuing Jurisdiction of the Land Use Regulation Commission over Towns that have Adopted Zoning Ordinances.

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

12 MRSA § 685-A, sub-§ 4, 3rd paragraph, last sentence, as repealed and replaced by PL 1977, c. 390, § 2, is repealed as follows:

~~Any revisions or amendments to the adopted plan and regulation that are less protective than those in the adopted plan shall be submitted to the Land Use Regulation Commission for approval~~

STATEMENT OF FACT

The purpose of this bill is to remove the continuing jurisdiction of the Land Use Regulation Commission over towns that have adopted zoning ordinances. Even after a town has complied with the requirements for adopting a comprehensive plan and zoning ordinance, the Land Use Regulation Commission still retains jurisdiction to review all subsequent amendments or revisions. Thus, while towns organized prior to the Land Use Regulation Commission's formation are outside its jurisdiction, the Land Use Regulation Commission in effect retains permanent jurisdiction over towns that have organized since then, even though these towns, in all other respects, have all the authority that other towns have.