

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 217

H.P. 173 House of Representatives, February 4, 1987
Reference to the Committee on Energy and Natural
Resources suggested and ordered printed.

EDWIN H. PERT, Clerk
Presented by Speaker MARTIN of Eagle Lake.

Cosponsored by Representatives JACQUES of Waterville,
HOLLOWAY of Edgecomb and Senator USHER of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT to Ensure that a Draft of Maine
2 Land Use Regulation Commission's Decisions
3 is Made Available to Interested Parties
4 Prior to the Commission's Action on an
5 Application.
6

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

9 12 MRSA §685-B, sub-§3-A is enacted to read:

10 3-A. Draft decisions. For those applications
11 not delegated to the staff, and regardless of whether
12 a hearing is held, the director shall, if requested
13 by the applicant or any other interested party, pre-
14 pare a draft decision and give reasonable notice to
15 the applicant and to any other person who has noti-
16 fied the commission of his interest in the applica-

1 tion, of the date the commission will act on the ap-
2 plication. The draft decision shall be made availa-
3 ble to the applicant and to all interested persons at
4 the Augusta office of the commission at least 15
5 working days before the commission acts on this ap-
6 plication.

7 STATEMENT OF FACT

8 The purpose of this bill is to ensure that par-
9 ties, who are interested in an application pending
10 before the Maine Land Use Regulation Commission, have
11 a draft of the staff's recommended decision available
12 to them a reasonable period of time prior to the com-
13 mission's action on the application. Such a proce-
14 dure is already a part of the Department of Environ-
15 mental Protection's statutory rules for the process-
16 ing of applications under the Maine Revised Statutes,
17 Title 38, section 344, subsection 1. The language of
18 this bill tracks the procedure set forth in section
19 344.

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