

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

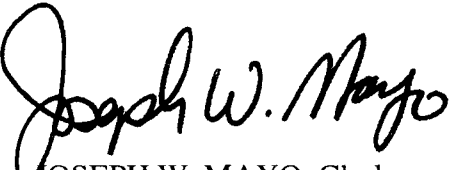
No. 1643

H.P. 1146

House of Representatives, March 3, 1999

**An Act to Remove Certain Wetland Sites Requirements for Proposed
Developments within the Jurisdiction of the Maine Land Use Regulation
Commission.**

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative GOODWIN of Pembroke.

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

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Sec. 1. 12 MRSA §685-B, sub-§4, as amended by PL 1989, c. 430, §2, is further amended by amending the first paragraph to read:

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4. Criteria for approval. In approving applications submitted to it pursuant to this section, the commission may impose such reasonable terms and conditions as the commission may deem ~~considers~~ appropriate. The commission may not require an applicant to perform a wetlands delineation on land that will not be disturbed by the permitted activity unless all or part of the land that will be disturbed by that activity is determined to be a wetland.

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Sec. 2. Conflicting rule unenforceable. Any rule adopted by the Maine Land Use Regulation Commission that is in conflict with the Maine Revised Statutes, Title 12, section 685-B, subsection 4 is unenforceable

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SUMMARY

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This bill prohibits the Maine Land Use Regulation Commission from requiring that applicants for Maine Land Use Regulation Commission permits conduct a wetlands delineation on undisturbed land surrounding a proposed development unless a portion of the land to be disturbed by the development is a wetland. The bill also makes unenforceable existing Maine Land Use Regulation Commission rules that conflict with the provisions of this bill.

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