

MAINE STATE LEGISLATURE

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L.D. 472

2

Date: 05-15-07

(Filing No. S-116)

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AGRICULTURE, CONSERVATION AND FORESTRY

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Reproduced and distributed under the direction of the Secretary of the Senate.

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STATE OF MAINE

6

SENATE

7

123RD LEGISLATURE

8

FIRST REGULAR SESSION

9

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COMMITTEE AMENDMENT "A" to S.P. 159, L.D. 472, Bill, "An Act To Clarify Land Planning in the Unorganized and Deorganized Townships of the State"

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Amend the bill in section 1 in subsection 1 in the 4th paragraph (page 1, lines 13 to 17 in L.D.) by striking out the whole paragraph and inserting the following:

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'The commission ~~may~~ shall hold public hearings to collect information to be used in establishing the land use guidance plan. The public hearings ~~will~~ must be conducted according to commission rules adopted in accordance with procedures for the establishment of rules ~~and regulations~~ pursuant to Title 5, chapter 375, subchapter ~~H~~ 2.'

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Amend the bill in section 1 in subsection 1 in paragraph B in the last line (page 1, line 29 in L.D.) by striking out the following: "days, ~~and~~;" and inserting the following: 'days; and'

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Amend the bill in section 1 in subsection 1 by striking out paragraph C (page 1, lines 30 and 31 in L.D.) and inserting the following:

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'C. The commission has considered all such comments.'

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Amend the bill in section 1 in subsection 1 by striking out paragraph D (page 1, lines 32 to 36 in L.D.).

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Amend the bill in section 1 in subsection 1 in the last paragraph in the first and 2nd lines (page 1, lines 37 and 38 in L.D.) by striking out the following: "~~Upon adoption of the official land use plan by the commission, it shall submit the plan to the Governor for approval.~~" and inserting the following: 'Upon adoption of the official land use plan by the commission, it the commission shall submit the plan to the Governor for approval.'

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Amend the bill by inserting after section 1 the following:

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'Sec. 2. Presentation of the comprehensive land use plan for areas within the jurisdiction of the Maine Land Use Regulation Commission. No later than

R.O.S.

COMMITTEE AMENDMENT "A" to S.P. 159, L.D. 472

1 December 3, 2007 and at least 30 days prior to a scheduled vote by the commission on
2 final adoption, the Maine Land Use Regulation Commission shall submit to the Joint
3 Standing Committee on Agriculture, Conservation and Forestry the most recent draft of
4 the tentative comprehensive land use plan developed pursuant to the Maine Revised
5 Statutes, Title 12, section 685-C, subsection 1. In addition to the draft plan, the
6 commission shall provide an accompanying report that includes:

7 1. The reasons for periodic revisions to the comprehensive land use plan, both
8 general and specific to the 2007 revisions;

9 2. A summary of public hearings held in accordance with the Maine Revised
10 Statutes, Title 12, section 685-C, subsection 1, including dates, locations, number of
11 people attending and information received;

12 3. The dates that the tentative plan was or is expected to be submitted to regional
13 planning commissions, agencies and the Executive Department, State Planning Office in
14 accordance with Title 12, section 685-C, subsection 1, paragraphs A and B; and, if
15 already submitted, a summary of comments and recommendations received; and

16 4. The anticipated date for a vote on adoption of the plan by the commission.

17 The commission shall brief the committee on any anticipated changes to land use
18 districts and subdistricts based on revisions in the comprehensive land use plan and a
19 projected timetable for rulemaking to adopt these changes. If changes are made to the
20 plan subsequent to the initial draft and report submitted under this section, the Maine
21 Land Use Regulation Commission shall submit the revised plan to the Joint Standing
22 Committee on Agriculture, Conservation and Forestry with clearly identified changes a
23 minimum of 30 days prior to the commission's final vote on the plan.'

24 **SUMMARY**

25 The amendment removes language from the bill that requires the Maine Land Use
26 Regulation Commission to collect information from residents and property owners of the
27 jurisdiction and other interested parties to be used in establishing the land use guidance
28 plan. The amendment also removes language that requires the commission to submit the
29 plan to the joint standing committee of the Legislature having jurisdiction over
30 conservation matters for its approval and that provides that if the committee approves the
31 plan then it must be submitted for the Legislature's approval and, if the Legislature
32 approves, to the Governor. It requires the Maine Land Use Regulation Commission to
33 hold public hearings when developing a comprehensive land use plan. It directs the
34 commission to submit a draft of the comprehensive land use plan to the Joint Standing
35 Committee on Agriculture, Conservation and Forestry along with specific information on
36 the development of the plan no later than December 3, 2007 or a minimum of 30 days
37 prior to a vote by the commission on final adoption of the plan.

38 **FISCAL NOTE REQUIRED**

39 (See attached)

COMMITTEE AMENDMENT

RdS

Approved: 05/15/07 *mac*



123rd MAINE LEGISLATURE

LD 472

LR 1424(02)

An Act To Clarify Land Planning in the Unorganized and Deorganized Townships of the State

Fiscal Note for Bill as Amended by Committee Amendment "A "

Committee: Agriculture, Conservation and Forestry

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund