

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 472

S.P. 159

February 1, 2007

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

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator MILLS of Somerset.

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

2 **Sec. 1. 12 MRSA §685-C, sub-§1**, as amended by PL 1977, c. 694, §233, is
3 further amended to read:

4 **1. Comprehensive land use plan.** ~~Not later than January 1, 1975 the~~ The
5 commission shall adopt an official comprehensive land use plan for the unorganized and
6 deorganized townships of the State.

7 ~~Such plan shall guide the~~ The commission must use the plan as a guide in developing
8 specific land use standards and delineating district boundaries and guiding development
9 and generally fulfilling the purposes of this chapter.

10 The plan may consist of maps, data and statements of present and prospective resource
11 uses ~~which that~~ generally delineate the proper use of resources, and recommendations for
12 its implementation.

13 The commission ~~may~~ shall hold public hearings to collect information from residents and
14 property owners of the jurisdiction and other interested parties to be used in establishing
15 the land use guidance plan. The public hearings ~~will~~ must be conducted according to
16 commission rules adopted in accordance with procedures for the establishment of rules
17 ~~and regulations~~ pursuant to Title 5, chapter 375, subchapter H 2-A.

18 The commission may, on its own motion or petition of any state agency or regional
19 planning commission, hold such other hearings as ~~it may deem~~ the commission considers
20 necessary from time to time for the purpose of obtaining information helpful in the
21 determination of its policies, the carrying out of its duties, or the formulation of its land
22 use standards or rules ~~and regulations~~.

23 The commission ~~shall~~ may not adopt ~~no~~ a plan or portion of a plan, unless:

24 A. The tentative plan has been submitted to each regional planning commission and
25 other appropriate agencies, which shall forward their comments and
26 recommendations, if any, to the commission within 30 days, ~~and~~;

27 B. The tentative plan has been submitted to the State Planning Office, pursuant to
28 Title 5, section 3305, subsection 1, paragraph G, which shall forward its comments
29 and recommendations, if any, to the commission within 30 days, ~~and~~;

30 C. The commission has considered all such comments: and adopted the official land
31 use plan; and

32 D. The commission has submitted the plan to the joint standing committee of the
33 Legislature having jurisdiction over conservation matters for the committee's
34 approval. If the committee approves the plan, it must submit the plan to the
35 Legislature for approval. If the Legislature approves the plan, it must submit the plan
36 to the Governor.

37 ~~Upon adoption of the official land use plan by the commission, it shall submit the plan to~~
38 ~~the Governor for approval.~~ The Governor shall approve or disapprove the plan, plans or
39 any portion of a plan within 30 days of receipt. If the Governor fails to act, the plan ~~shall~~

1 ~~be~~ is deemed approved. This subsection ~~shall~~ also ~~apply~~ applies to any alteration in the
2 comprehensive plan.

3

SUMMARY

4 This bill clarifies and amends the process by which the Maine Land Use Regulation
5 Commission adopts a comprehensive land use plan for the unorganized and deorganized
6 townships of the State.