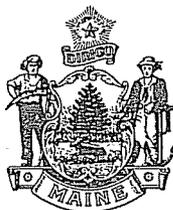


MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 516

H.P. 361

House of Representatives, February 12, 2009

**An Act To Require That a Majority of the Members of the Maine
Land Use Regulation Commission Reside in the Commission's
Jurisdiction**

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative THOMAS of Ripley.
Cosponsored by Representative JOY of Crystal, Senator SMITH of Piscataquis and
Representatives: AYOTTE of Caswell, CRAY of Palmyra, GIFFORD of Lincoln,
McFADDEN of Dennysville, PINKHAM of Lexington Township, SAVIELLO of Wilton,
THIBODEAU of Winterport, Senator: SHERMAN of Aroostook.

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

2 **Sec. 1. 12 MRSA §683, first ¶**, as corrected by RR 1999, c. 1, §15, is amended to
3 read:

4 The Maine Land Use Regulation Commission, as established by Title 5, section
5 12004-D, subsection 1 to carry out the purposes stated in section 681, is created within
6 the Department of Conservation, and in this chapter called the "commission." The
7 commission is charged with implementing this chapter in all of the unorganized and
8 deorganized areas of the State. The commission consists of 7 public members, none of
9 whom may be state employees, who must be appointed by the Governor, subject to
10 review by the joint standing committee of the Legislature having jurisdiction over
11 conservation matters and to confirmation by the Legislature, for staggered 4-year terms.
12 Appointees to the commission must be familiar with the needs and issues affecting the
13 commission's jurisdiction. All appointees must reside in the commission's jurisdiction;
14 work in the commission's jurisdiction; be a former resident or be retired after working
15 within the commission's jurisdiction for a minimum of 5 years; or have expertise in
16 commerce and industry, fisheries and wildlife, forestry or conservation issues as they
17 affect the commission's jurisdiction. In selecting appointees, the Governor shall actively
18 seek and give consideration to persons residing in or near the unorganized areas of the
19 State and to persons residing on unorganized coastal islands. At least 2 ~~4~~ members must
20 be residents within the commission's jurisdiction. A county commissioner, county
21 employee, municipal official or municipal employee is not considered to hold an
22 incompatible office for purposes of simultaneous service on the commission. If a county
23 or municipality is a participant in an adjudicatory proceeding before the commission, a
24 commissioner, official or employee from that county or municipality may not participate
25 in that proceeding.

26 **SUMMARY**

27 This bill requires that a majority of the members of the Maine Land Use Regulation
28 Commission must reside within the jurisdiction of the commission.