

MAINE STATE LEGISLATURE

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MAT

L.D. 1534

Date:

6/7/11

Majority

(Filing No. H-561)

AGRICULTURE, CONSERVATION AND FORESTRY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1126, L.D. 1534, Bill, "An Act To Reform the Land Use and Planning Authority in the Unorganized Territories"

Amend the bill by striking out the title and substituting the following:

'Resolve, To Reform the Land Use and Planning Authority in the Unorganized Territory'

Amend the bill by striking out everything after the title and before the summary and inserting the following:

'Sec. 1. Commission on Reform of the Governance of Land Use Planning in the Unorganized Territory established. Resolved: That the Commission on Reform of the Governance of Land Use Planning in the Unorganized Territory, referred to in this resolve as "the commission," is established to advise the Joint Standing Committee on Agriculture, Conservation and Forestry on matters relating to land use planning and regulation in the unorganized territory; and be it further

Sec. 2. Membership. Resolved: That the commission consists of 13 members, as follows:

1. The Commissioner of Conservation or the commissioner's designee;
2. Two residents of the unorganized territory, one appointed by the President of the Senate and one appointed by the Speaker of the House;
3. One representative of a large landowner in the unorganized territory engaged in the forest products industry, appointed by the Governor;
4. One representative of a small landowner in the unorganized territory engaged in the forest products industry, appointed by the Governor;
5. Two county commissioners from counties with significant acreage in the unorganized territory, one appointed by the President of the Senate, and one appointed by the Speaker of the House;

COMMITTEE AMENDMENT

1 6. One representative of a statewide sportsmen's organization, appointed by the
2 Governor;

3 7. One representative of a statewide environmental or conservation organization,
4 appointed by the President of the Senate;

5 8. One representative of a regional environmental or conservation organization,
6 appointed by the Speaker of the House;

7 9. One representative of the tourism or outdoor recreation industry in the
8 unorganized territory, appointed by the Governor;

9 10. One representative of a regional or local economic development organization
10 serving an area that includes unorganized territory, appointed by the President of the
11 Senate; and

12 11. One regional planner from a council of governments in a county with significant
13 acreage in the unorganized territory, appointed by the Speaker of the House; and be it
14 further

15 **Sec. 3. Chair. Resolved:** That, after all members of the commission have been
16 named, the Governor shall designate one member to serve as chair and another member
17 to serve as vice-chair; and be it further

18 **Sec. 4. Duties. Resolved:** That the commission shall:

19 1. Consider reforming the governance of land use planning in the unorganized
20 territory and make recommendations on the role of state agencies and county
21 government, the planning and appeals process and opportunities for increased self-
22 determination in land use planning in the unorganized territory;

23 2. Ensure that any recommendation that entails the elimination of the Maine Land
24 Use Regulation Commission, referred to in this resolve as "LURC," provides an effective
25 transition process, including a plan for LURC to complete any pending work or transfer
26 the work to relevant agencies;

27 3. Ensure uniform standards across the unorganized territory for timber harvesting
28 activities and forest management, wildlife habitat protection and issues under the
29 jurisdiction of the Natural Resources Protection Act; and

30 4. Consider options for reforming the governance of land use planning in the
31 unorganized territory; and be it further

32 **Sec. 5. Meetings; interim update. Resolved:** That the commission shall meet
33 as necessary to complete the assigned duties. The commission shall hold no fewer than 2
34 public listening sessions on dates determined by the commission. The commission shall
35 meet with the Joint Standing Committee on Agriculture, Conservation and Forestry no
36 later than October 28, 2011 for an update on the progress of the commission; and be it
37 further

38 **Sec. 6. Staffing. Resolved:** That the Department of Conservation shall provide
39 staff support to the commission within existing resources. The Commissioner of
40 Conservation shall invite resource people to assist as appropriate, including individuals
41 with past experience as LURC commissioners and staff; and be it further

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(See attached)



Approved: 06/04/11 *mac*

125th MAINE LEGISLATURE

LD 1534

LR 1640(02)

An Act To Reform the Land Use and Planning Authority in the Unorganized Territories

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

Committee: Agriculture, Conservation and Forestry

Fiscal Note Required: Yes

Fiscal Note

Legislative Cost/Study

Legislative Cost/Study

The estimated cost for the Joint Standing Committee on Agriculture, Conservation and Forestry to hold an interim meeting with the Commission on Reform of the Governance of Land Use Planning in the Unorganized Territory is \$1,625 in fiscal year 2011-12. The Legislature's proposed budget includes \$10,000 in fiscal year 2011-12 for legislative studies. Whether the amounts are sufficient to fund all studies will depend on the number of studies authorized by the Legislative Council and the Legislature.

Fiscal Detail and Notes

The Department of Conservation will incur additional costs to staff the Commission on Reform of the Governance of Land Use Planning in the Unorganized Territory which can be absorbed within existing budgeted resources.

Any costs associated with assuming responsibility for permitting and regulatory functions formerly performed by the Maine Land Use Regulatory Commission can be absorbed by the Department of Environmental Protection within existing budgeted resources.