

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 568

H.P. 412

House of Representatives, February 5, 2019

An Act To Change the Composition of the Maine Land Use Planning Commission

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

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative DUNPHY of Old Town.
Cosponsored by Representatives: HICKMAN of Winthrop, MARTIN of Sinclair, McCREA of Fort Fairfield, O'NEIL of Saco, SKOLFIELD of Weld, STANLEY of Medway, Senators: BLACK of Franklin, DILL of Penobscot.

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

2 **Sec. 1. 12 MRSA §683-A, sub-§§1 and 2**, as amended by PL 2013, c. 256, §3,
3 are further amended to read:

4 **1. Appointment by the Governor.** Except as provided in subsection 2, the
5 Governor shall appoint ~~one member~~ 3 members to the commission. In selecting an
6 appointee, the Governor shall actively seek and give consideration to persons residing in
7 or near the unorganized and deorganized areas of the State and to persons residing on
8 unorganized coastal islands. An appointee under this subsection must be familiar with
9 the needs and issues affecting the commission's jurisdiction and must:

- 10 A. Reside in the commission's jurisdiction;
- 11 B. Work in the commission's jurisdiction;
- 12 C. Be a former resident or be retired after having worked for a minimum of 5 years
13 within the commission's jurisdiction; or
- 14 D. Have expertise in commerce and industry, fisheries and wildlife, forestry or
15 conservation issues as they relate to the commission's jurisdiction.

16 **2. Appointment of members representing a county.** One member must be
17 appointed by each of the ~~8~~ 6 counties with the most acreage in the unorganized or
18 deorganized areas subject to the jurisdiction of the commission. The board of county
19 commissioners for each of the counties shall appoint by majority vote a resident of that
20 county to serve as a member of the commission. A county commissioner who is a
21 candidate for appointment to serve on the commission may not vote on that appointment.
22 In making the appointment, the board of county commissioners shall actively seek and
23 give consideration to persons residing in or near the unorganized or deorganized areas
24 within the county. The board of county commissioners shall advertise the position in the
25 same manner as the county advertises personnel positions. The board of county
26 commissioners shall accept written or electronic applications from candidates, conduct
27 interviews with candidates as determined by the board and select from among those
28 candidates an appointee.

29 An appointee under this subsection must have expertise in commerce and industry,
30 fisheries and wildlife, forestry or conservation issues as they relate to the commission's
31 jurisdiction and must:

- 32 A. Reside in the commission's jurisdiction;
- 33 B. Work in the commission's jurisdiction; or
- 34 C. Be a former resident or be retired after having worked for a minimum of 5 years
35 within the commission's jurisdiction.

36 If a board of county commissioners fails to appoint a member to the commission under
37 this subsection within 90 business days of a vacancy on the commission to be filled by
38 that county, the Governor shall appoint a resident of that county meeting the criteria in
39 subsection 1 to fill the vacancy.

1 For any county appointee, the board of county commissioners shall provide to the
2 President of the Senate and the Speaker of the House of Representatives the name and
3 address of the appointee, together with information concerning that person's background
4 and qualifications, in the same manner required of the Governor for nominations made
5 pursuant to Title 3, section 154. A board of county commissioners has the same authority
6 as the Governor, pursuant to Title 3, section 154, to withdraw the name of an appointee at
7 any time before the Senate votes. The provisions of Title 3, sections 155 to 158 apply to
8 the process of legislative review and confirmation of all county appointees to the
9 commission.

10 **Sec. 2. Transition.** Notwithstanding the Maine Revised Statutes, Title 12, section
11 683-A, subsection 1 or 2, a member of the Maine Land Use Planning Commission
12 serving the commission on the effective date of this Act may serve the remainder of that
13 member's term.

14 **SUMMARY**

15 This bill amends the laws governing the composition of the Maine Land Use
16 Planning Commission to increase the number of members appointed by the Governor
17 from one to 3 and to decrease the number of members appointed by the counties from 8
18 to 6.