

Remarks of Horace Hildreth, Jr.  
Regarding Maine's Land Use Regulation Commission  
February 16, 2012  
Augusta, Maine

Good morning. 40 years ago I was privileged to work with Harry Richardson and a number of other Democratic and Republican legislators to create the Land Use Regulation Commission.

The reason for creating LURC was not to stop all development in the unorganized territories, but rather to make sure that development was controlled and guided in such a way that minimized any destruction caused by poor planning or bad execution of development schemes.

It was based on the premise that the UT was of immense value to the state as a whole, and the knowledge that any damage to it would likely be permanent.

After 40 years, no one can successfully argue with the accuracy of that premise, and no objective person can argue that with few exceptions, LURC has achieved the goals set out for it. It has consistently allowed and guided reasonable development while at the same time preventing what could have been mass destruction by uncontrolled land developers including the paper companies who tried so hard to kill this law at its inception.

Generally speaking, LURC has served the citizens of Maine well, including those who live in or near the UT.

But of course I recognize that no legislation is perfect. After 4 decades, it is a worthy exercise to re-examine the need and mission for LURC, the effectiveness and efficiency of its process and how it can better serve the people of Maine.

But let me be clear: I and most people strongly believe that the UT is a resource that belongs to all the people not just those who live in or near it. It is a resource of statewide significance and should continue to be regulated as such.

That's why I spoke to the Legislature last year and opposed the proposal to abolish LURC and have Maine counties take on its duties. And I must commend Commissioner Beardsley and the rest of the LURC Commission for stepping away from such a wrongheaded notion.

But I am here today because two of the Commission's recommendations that are now part of the proposed legislation cry out for reassessment. One would allow county commissioners to appoint themselves as members of LURC without any vetting or confirmation by the Legislative or Executive branches. This would be truly undemocratic. The other, which is even more pernicious, would allow a county, which contains part of the UT, to opt out of LURC if its county commissioners so choose, with no right of the Legislature, or the citizens of Maine outside such county, to have any say in the matter.

If and when this were to happen, it would be the end of LURC. Rather than including the provision, we might as well abolish LURC right now, which even this commission stacked as it was, decided against doing.

It would start the creation of inconsistent standards and patchwork development without treating the UT as a whole. It would be bad for the natural resources we treasure, for the businesses whose work stretches across county lines, and for the people of Maine (the true stewards) who don't have a voice in the county governments of the UT.

By all means, efforts to make LURC more efficient and responsive should be pursued - but actions that would balkanize the UT should be avoided at all costs.