

Oppose the Majority OTPA Report on L.D. 1798
SUPPORT THE MINORITY OTP as AMENDED REPORT
An Act to Reform Land Use Planning in the Unorganized Territory

The Agriculture, Conservation and Forestry Committee of the Legislature has reviewed LD 1798 and developed two different amended versions of the bill. NRCM opposes the Majority Report and supports the Minority Report.

The **Minority Report on L.D. 1798 makes reasonable changes in response to concerns** about the Land Use Regulation Commission. It would increase the responsiveness of the agency, lead to more regional planning, and ensure greater local involvement in LURC decision making.

The Majority Report includes additional provisions that are extreme, dramatically increasing the power of county governments. The Majority Report hijacks an otherwise sensible package of changes and goes too far, too fast.

NRCM opposes the **Majority Report** because it would:

- Allow **counties to opt out** of LURC—essentially **abolishing LURC one county at a time**;
- Adopt a unique method of appointments which excludes the governor and **allows the county commissioners to nominate themselves, leading to possible conflicts of interest**;
- **Increase red tape for applicants** by dividing permitting responsibilities among four different entities: LURC, DEP, counties and the Maine Forest Service;
- **Cost taxpayers** for duplicate permitting agencies in counties that “opt out” of the state-wide agency.

The LePage Administration and his allies in the Legislature claim they want to make changes that will result in smaller government. **The Majority Report adds additional responsibilities to county government, thereby building up a third level of government, going against what they say are their own goals!**

Putting county commissioners in charge of LURC and the half of the state that makes up the unorganized townships will **transform county commissioners** into extremely powerful, highly political, well-funded politicians who could put the interests of their counties ahead of those statewide.

The **Majority Report** would require county commissioners to show that LURC has failed in order to opt out. Allowing county commissioners to serve as LURC Commissioners at the same time that they can decide to opt out of LURC gives them **an incentive to make sure that LURC fails**.

NRCM supports the **Minority Report** because it would:

- Ensure that the 8 largest counties have representatives on LURC that are nominated by the governor, reviewed by the Agriculture, Conservation and Forestry Committee, and confirmed by the Senate;
- Provide that any county commissioner appointed to LURC would have to resign as a county commissioner to avoid conflicts of interest;
- Allow delegation of small-project review to the counties;
- Encourage regional planning in partnership with regional partners;
- Move the review of wind development projects in the expedited area to the Department of Environmental Protection;
- Require LURC meetings and hearings to be located in or near the unorganized territory;
- Move staff closer to LURC jurisdiction; and
- Provide customer service training for staff and training on LURC's laws and rules for commissioners.

The Minority Report is the sensible LURC reform path.