

OFFICE OF POLICY AND LEGAL ANALYSIS

To: Members, Joint Standing Committee on Agriculture, Conservation and Forestry
From: Karen S. Nadeau, Legislative Analyst
Date: March 2, 2021
Subj: **LD 207 Resolve, Regarding Legislative Review of Portions of Chapter 1: Fee Schedule, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry, Maine Land Use Planning Commission**

This resolve provides for legislative review of portions of Chapter 1: Fee Schedule, a major substantive rule of the Department of Agriculture, Conservation and Forestry, Maine Land Use Planning Commission.

TESTIMONY

Proponents: *Land Use Planning Commission*

- The fee schedule for the LUPC has not been revised since 2007.
- LUPC requests that, if approved, the Legislature allow LUPC until October 1, 2021 for Chapter 1 rule changes to become effective to align with other LUPC rule changes (routine technical rules).
- Fees are reduced where, in other adopted rulemaking actions, LUPC seeks to incentivize certain activities such as recreational lodging, certain subdivision designs and residential development on commission-approved subdivision lots.
- Fees are also reduced where the availability of digital materials and processes have reduced commission costs.
- Fees are established or increased where the workload draws disproportionately on public resources and where those fees do not duplicate fees collected by other agencies of state government.

Opponents: *None*

NFNA: *None*

RELEVANT STATUTES:

- Title 12, section 685-C, subsection 3 – Schedule of fees (major substantive rules)

WILL BE AVAILABLE FOR WORK SESSION:

- Judy East, Executive Director, LUPC
- Tim Beaucage, Senior Planner, LUPC

PRELIMINARY FISCAL IMPACT STATEMENT: *Not yet received.*