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An Act To Expedite the Review of Certain Maine Land Use Regulation Commission and Department of Environmental Protection Applications

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

Sec. 1. 12 MRSA §685-B, sub-§2-B, as enacted by PL 1989, c. 584, §2 and amended by c. 810, §2, is further amended to read:

2-B. Determination deadline. The commission shall render its determination on an application for subdivision approval within 60 days after the commission determines that the application is complete and the proposal is a permitted use within the affected district or subdistrict. If within 30 days after the commission determines that the application is complete and the proposal is a permitted use within the affected district or subdistrict the director of the commission determines that the commission cannot render its decision within the 60day time period, the commission shall enter into an agreement with an individual, partnership, firm or corporation outside the commission to review the application.

Sec. 2. 38 MRSA §344-B, sub-§7 is enacted to read:

7. Outside review required. If at the expiration of 1/2 of the processing time established pursuant to this section the commissioner determines that the department cannot process a permit or license within that processing time, the commissioner shall, with the consent of the applicant, enter into an agreement with an outside reviewer pursuant to section 344A.

SUMMARY

This bill requires the Maine Land Use Regulation Commission to enter into an agreement for an outside review of an application to subdivide land if the director of the commission determines within 30 days of the application's being accepted as complete that the commission cannot complete the review within the 60day statutory time period. The bill also requires the Commissioner of Environmental Protection to enter into an agreement with an outside reviewer if, at the expiration of 1/2 of the published processing time for permit and license applications, the commissioner determines that the department cannot complete the application review within the published processing time.