

# Rule-Making Fact Sheet

(5 MRSA §8057-A)

AGENCY: **01-672 MAINE LAND USE PLANNING COMMISSION,**  
Department of Agriculture, Conservation & Forestry

NAME, ADDRESS, PHONE NUMBER, E-MAIL OF AGENCY CONTACT PERSON: Judy East, 22 SHS, Augusta, ME 04333-0022, 287-2631, [Judith.C.East@maine.gov](mailto:Judith.C.East@maine.gov)

CHAPTER NUMBER AND RULE TITLE: **Chapter 3, Delegation of Authority to Staff**  
**Chapter 4, Rules of Practice**  
**Chapter 5, Rules for the Conduct of Public Hearings**

TYPE OF RULE (*check one*):  Routine Technical  Major Substantive

STATUTORY AUTHORITY: 5 M.R.S. § 8055; and 12 M.R.S. § 685-A(7-A)

DATE, TIME AND PLACE OF PUBLIC HEARING: *na; a hearing has not been scheduled*

#### COMMENT DEADLINE:

Written comments must be submitted on or prior to July 12, 2021;

Written rebuttal comments must be submitted on or prior to July 26, 2021.

#### PRINCIPAL REASON(S) OR PURPOSE FOR PROPOSING THIS RULE: [*see* §8057-A(1)(A)&(C)]

The Maine Land Use Planning Commission is proposing to repeal Chapter 3 and to repeal and replace Chapters 4 and 5. The changes proposed for each of these three rules collectively will improve user convenience by consolidating or reorganizing provisions without changing their regulatory effect, and revise visual characteristics to simplify or otherwise clarify each rule. Some edits propose to simplify the rule by consolidating notice provisions, clarify existing practice, and include provisions previously located in Chapter 10 of the Commission's rules. All other revisions represent typical rule maintenance.

IS MATERIAL INCORPORATED BY REFERENCE IN THE RULE? \_\_\_ YES X NO [§8056(1)(B)]

#### ANALYSIS AND EXPECTED OPERATION OF THE RULE: [*see* §8057-A(1)(B)&(D)]

Primarily, the changes represent routine maintenance to existing rules, with several new sections to address current policies. Collectively, the addition, reorganization, and reformatting of these rules are expected to significantly improve consistency and functionality. Consequently, the rules will be significantly easier to reference or otherwise administer.

#### BRIEF SUMMARY OF RELEVANT INFORMATION CONSIDERED DURING DEVELOPMENT OF THE RULE

(including up to 3 primary sources relied upon) [*see* §§8057-A(1)(E) & 8063-B]

Staff relied upon 5 M.R.S. Chapter 375, 12 M.R.S. Chapter 207, and existing agency policies.

#### ESTIMATED FISCAL IMPACT OF THE RULE: [*see* §8057-A(1)(C)]

Not applicable. 12 M.R.S. §685-A(7-A)(B)

***FOR EXISTING RULES WITH FISCAL IMPACT OF \$1 MILLION OR MORE, ALSO INCLUDE:***

ECONOMIC IMPACT, WHETHER OR NOT QUANTIFIABLE IN MONETARY TERMS:  
[see §8057-A(2)(A)]

INDIVIDUALS, MAJOR INTEREST GROUPS AND TYPES OF BUSINESSES AFFECTED  
AND HOW THEY WILL BE AFFECTED: [see §8057-A(2)(B)]

BENEFITS OF THE RULE: [see §8057-A(2)(C)]

*Note: If necessary, additional pages may be used.*