

STATE OF MAINE

IN THE YEAR OF OUR LORD  
TWO THOUSAND TWENTY-FIVE

H.P. 68 - L.D. 103

**An Act to Reorganize and Simplify Certain Exceptions in the Use Regulation Law**

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

**Sec. 1. 12 MRSA §682, sub-§15**, as repealed and replaced by PL 2001, c. 402, §1, is amended to read:

**15. Campsite Minor campground.** "Campsite" "Minor campground" means a camping location containing tents, registered tent trailers, registered pickup campers, registered recreational vehicles, registered trailers or similar devices used for camping. "Campsite" "Minor campground" does not include a camping location that has access to a pressurized water system or permanent structures other than outhouses, fireplaces, picnic tables, picnic tables with shelters or lean-tos. A campsite minor campground may be designed to contain a maximum of 4 camping sites for transient occupancy by 12 or fewer people per site, or numbers of sites and occupancy rates consistent with a landowner's recreational policy filed with the commission. The commission may require a campsite permit if it determines that the recreational policy is inconsistent with the commission's comprehensive land use plan.

**Sec. 2. 12 MRSA §685-A, sub-§5**, as amended by PL 2009, c. 111, §1, is further amended by repealing the 4th blocked paragraph.

**Sec. 3. 12 MRSA §685-B, sub-§1-A, ¶B**, as amended by PL 2011, c. 682, §14, is repealed.

**Sec. 4. 12 MRSA §685-B, sub-§1-A, ¶B-1**, as amended by PL 2015, c. 265, §2 and affected by §10, is repealed.

**Sec. 5. 12 MRSA §685-B, sub-§1-A, ¶B-2**, as reallocated by RR 2011, c. 2, §8 and affected by §10, is repealed.

**Sec. 6. 12 MRSA §685-B, sub-§1-A, ¶C**, as amended by PL 2009, c. 270, Pt. D, §2, is further amended to read:

C. A permit is not required for a campsite minor campground in a management district;

**Sec. 7. 12 MRSA §685-B, sub-§1-A, ¶D**, as enacted by PL 2009, c. 270, Pt. D, §3, is amended to read:

D. A permit is not required for an offshore wind energy demonstration project approved by the Department of Environmental Protection pursuant to Title 38, section 480-HH. Notice of the intent to develop and a map indicating the location of the proposed development must be filed with the commission prior to or concurrently with submission of an application to the Department of Environmental Protection pursuant to Title 38, section 480-HH; ~~and~~

**Sec. 8. 12 MRSA §685-B, sub-§1-A, ¶E**, as amended by PL 2009, c. 615, Pt. F, §1, is further amended to read:

E. A permit or other approval by the commission is not required for a hydropower project that uses tidal or wave action as a source of electrical or mechanical power or is located partly within an organized municipality and partly within an unorganized territory-;

**Sec. 9. 12 MRSA §685-B, sub-§1-A, ¶F** is enacted to read:

F. Except for projects that are located in a planned subdistrict that was approved or accepted by the commission for processing prior to September 1, 2012, a permit is not required for those aspects of a project approved by the Department of Environmental Protection pursuant to Title 38, chapter 3, subchapter 1, article 5-A if the commission determines that the project is an allowed use within the subdistrict or subdistricts for which it is proposed. Notice of the intent to develop and a map indicating the location of the proposed development must be filed with the commission prior to or concurrently with the submission of a development application to the Department of Environmental Protection;

**Sec. 10. 12 MRSA §685-B, sub-§1-A, ¶G** is enacted to read:

G. Except for projects located in a planned subdistrict approved or accepted by the commission for processing prior to September 1, 2012, a permit from the commission is not required for development requiring a permit from the Department of Environmental Protection pursuant to:

- (1) The site location of development law, Title 38, chapter 3, subchapter 1, article 6;
- (2) The Maine Metallic Mineral Mining Act, Title 38, chapter 3, subchapter 1, article 9; and
- (3) The Maine Hazardous Waste, Septage and Solid Waste Management Act, Title 38, chapter 13.

A person who qualifies for an exception under this paragraph by being required to submit a permit application to the Department of Environmental Protection for a proposed development located wholly or in part within the unorganized or deorganized areas of the State shall file a notice of the intent to develop and a map indicating the location of the proposed development with the commission prior to or concurrently with the submission of an application to the Department of Environmental Protection.

The Department of Environmental Protection must receive certification from the commission that the proposed development is an allowed use within the subdistrict or subdistricts for which it is proposed and that the proposed development meets any land use standard established by the commission that is not considered in the department's review before issuing a permit.

The commission may not certify that a proposed expedited wind energy development, as defined in Title 35-A, section 3451, subsection 4, within the expedited permitting area, as defined in Title 35-A, section 3451, subsection 3, is an allowed use if a relevant petition is pending under Title 35-A, section 3453-A, subsection 1.

This subsection may not be construed as prohibiting the commission from enforcing the land use standards certified to the Department of Environmental Protection under this paragraph; and

**Sec. 11. 12 MRSA §685-B, sub-§1-A, ¶H** is enacted to read:

H. A permit from the commission is not required for the repair or maintenance of county-owned roads, bridges or culverts as long as the repair or maintenance is conducted in accordance with commission standards that pertain to these activities.