

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
116TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 710,
L.D. 961, Bill, "An Act to Allow the Commissioner of Conservation
to Adopt Rules That Encourage Conservation of Shore Plants"

Amend the amendment in section 1 by striking out all of the
amending clause (page 1, line 27 in amendment) and inserting in
its place the following:

Sec. 1. 38 MRSA §480-Q, sub-§11, as amended by PL 1991, c.
240, §2, is further amended to read:

11. Soil evaluation. Borings taken to evaluate soil
conditions in or adjacent to a great pond, river, stream or
brook, coastal wetland, freshwater wetland or sand dune are
exempt from the provisions of this article provided that no area
of wetland vegetation is destroyed or permanently removed; and

Sec. 2. 38 MRSA §480-Q, sub-§12, as enacted by PL 1991, c.
240, §3, is amended to read:

12. Existing access ways. Normal maintenance and repair or
reconstruction of existing access ways in freshwater or coastal
wetlands to residential dwellings as long as:

A. The applicant shows evidence that the access way in
disrepair is the existing route of access to the residential
dwelling;

B. Erosion control measures are used;

C. Intrusion of the access way into the freshwater or
coastal wetland is minimized and allows for proper drainage
where necessary;

D. The access way, if in a coastal wetland, is traditionally dry at mean high tide; and

E. A notice of intent to maintain, repair or reconstruct the access way and the description of the work to be completed are submitted to the commissioner and to the municipal reviewing authority at least 20 days before the work is performed; and

Sec. 3. 38 MRSA §480-Q, sub-§13 is enacted to read:'

STATEMENT OF FACT

This amendment is being presented on behalf of the Committee on Bills in Second Reading to correct a technical error.

Filed by Rep. Kontos of Windham
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5/11/93 (Filing No. H-175)