

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 1110

H. P. 763

House of Representatives, February 23, 1967

Referred to Committee on Sea and Shore Fisheries. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Lowery of Brunswick.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SEVEN

AN ACT Relating to Coastal Marshlands.

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

R. S., T. 12, part 5, additional. Title 12 of the Revised Statutes is amended by adding a new part 5, to read as follows:

PART 5

COASTAL MARSHLANDS

CHAPTER 421

COASTAL MARSHLANDS

§ 4701. Removal, filling and dredging of areas bordering on coastal waters; regulations; penalty

No person shall remove, fill or dredge any bank, flat, marsh, meadow or swamp bordering on coastal waters without written notice of his intention to so remove, fill or dredge to the appropriate licensing authority in the municipality, to the Bureau Director of the Environmental Improvement Administration, to the Commissioner of Sea and Shore Fisheries and to the Commissioner of Inland Fisheries and Game. Said notice shall be sent by registered mail at least 14 days prior to any such removing, filling or dredging. The licensing authority of the municipality shall hold a hearing on said proposal within 20 days of the receipt of said notice, notice of which hearing shall be given by them by publication in a newspaper published in such town or city, then a newspaper published within the county, and shall notify by mail the person intending to do such removing, filling or dredging, the Bureau Director of the Environmental Improvement Administration, the Commissioner of Sea and Shore Fish-

eries and the Commissioner of Inland Fisheries and Game of the time and place of said hearing. The cost of such publication of notice shall be borne by the person filing the notice of intention to so remove, fill or dredge. The licensing authority may recommend the installation of such bulkheads, barriers or other protective measures as may protect the public interest. If the area on which the proposed work is to be done contains shellfish or is necessary to protect marine fisheries, the said directors may impose such conditions on said proposed work as they may determine necessary to protect such shellfish or marine fisheries, and work shall be done subject thereto.

Whoever violates any provision of this section shall be punished by a fine of not more than \$100 or by imprisonment for not more than 6 months, or by both, and the Superior Court shall have jurisdiction to restrain a continuing violation of this section.

This section shall not affect or regulate the ordinary and usual work of any mosquito control measures operating under Title 22, chapter 257.