

# MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

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ONE HUNDRED AND FOURTH LEGISLATURE

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**Legislative Document**

**No. 1781**

H. P. 1414

House of Representatives, January 6, 1970

The Committee on Natural Resources suggested.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Benson of Southwest Harbor.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
AND SEVENTY

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**AN ACT Relating to Permits for Dredging and Erection of Causeways,  
Docks, etc. in Tributaries of Great Ponds.**

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

**Sec. 1. R. S., T. 12, § 514, sub-§ 3, ¶ B, amended.** Paragraph B of subsection 3 of section 514 of Title 12 of the Revised Statutes, as repealed and replaced by section 13 of chapter 226 of the public laws of 1965, and as amended by section 9 of chapter 431 of the public laws of 1969, is further amended to read as follows :

**B.** Permits for dredging in great ponds or in tributaries thereof and for disposal of the materials thereby removed which are not classified as minerals under the mining law, provided that prior to the granting of any permit an opportunity for hearing shall be given to any abutting owner and any water utility, and provided that the commissioner has first consulted with and had the approval of the Mining Bureau, the Environmental Improvement Commission and the Commissioner of Inland Fisheries and Game.

**Sec. 2. R. S., T. 12, § 514, sub-§ 3, ¶ C, amended.** Paragraph C of subsection 3 of section 514 of Title 12 of the Revised Statutes, as enacted by chapter 487 of the public laws of 1965 and as amended by section 21 of chapter 544 of the public laws of 1967 and by section 9 of chapter 431 of the public laws of 1969, is further amended to read as follows :

**C.** Permits to littoral proprietors abutting on great ponds or on tributaries thereof or their authorized representatives for the erection and maintenance of permanent causeways, bridges, marinas, or deposit of fill

in or abutting on great ponds or tributaries thereof, provided that 7 days prior to the granting of any permit, public notice that the permit will be issued shall be given by publishing same in a newspaper having its principal place of business in the county where the premises are situated, if any, or if not, in the state newspaper, and provided that an opportunity for hearing before the commissioner shall be given to any owner of **such** riparian rights ~~in the pond~~ concerned claiming within that time to be aggrieved should such permit be granted, and provided that the commissioner has first consulted with and had the approval of the Mining Bureau, the Environmental Improvement Commission, the Commissioner of Inland Fisheries and Game and the State Park and Recreation Commission. **For the purposes of this section, "great ponds" shall include not only inland bodies of fresh water which in their natural state have a surface area in excess of 10 acres, but also any such body of water artificially formed or increased from natural size which has a surface area in excess of 30 acres at all times, the shore of which is owned by 2 or more persons, firms or corporations.** Existing encroachments shall be deemed lawful if in conformity with criteria established by the Forest Commissioner by rule or regulation, after having consulted with and had the approval of the Mining Bureau, the Environmental Improvement Commission, the Commissioner of Inland Fisheries and Game and the State Park and Recreation Commission. Each application for a permit shall be accompanied by a permit fee of \$10. Fees collected shall be credited to a special account and may be expended by the Forest Commissioner for any expense incurred in carrying out the purpose of this section.