

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
SENATE  
106TH LEGISLATURE

SENATE AMENDMENT " A " to H. P. 1538, L. D. 1968, Bill, "AN ACT to Extend the Deadline for Mandatory Shoreland Zoning."

Amend said Bill by striking out all of that part designated "§4813." of section 5 and inserting in place thereof the following:  
'§4813. Municipal failure to accomplish purposes

If any municipality fails to adopt ordinances as required by section 4182 for shoreland areas as defined in section 4811 or if the Board of Environmental Protection determines that particular municipal ordinances because of their laxity and permissiveness do not adequately prevent and control water pollution, protect wildlife habitat, conserve shore cover or otherwise fail to accomplish the purposes outlined in section 4811, the Department of Environmental Protection shall, following consultation with the State Planning Office, with respect to these shoreland areas, adopt suitable ordinances for these municipalities, which ordinances the respective municipalities shall then administer and enforce.

The Department of Environmental Protection shall by December 15, 1973 adopt minimum guidelines for the protection of shoreland areas reflecting considerations of preventing and controlling water pollution, protecting spawning grounds, fish, aquatic life, bird and other wildlife habitat, locating and size of structures and signs and conserving shore cover. The incorporation of such guidelines into a municipal regulatory ordinance shall be deemed sufficient to meet the requirements of this section.'

*(Filing no. S-215)*

Further amend said Bill by striking out all of the first underlined paragraph of that part designated "§4814." of section 6 and inserting in place thereof the following:

'The Board of Environmental Protection, municipalities and all state agencies shall mutually cooperate to accomplish the objectives of this chapter. To that end, the board shall consult with the governing bodies of municipalities and to whatever extent necessary with other state agencies to secure voluntary uniformity of regulations, so far as practicable, and shall extend all possible assistance therefor. The State Planning Office shall be responsible for coordinating the efforts and responsibilities of the Board of Environmental Protection acting pursuant to this chapter and the Maine Land Use Regulation Commission acting pursuant to chapter 206-A.'

Statement of Fact

The purpose of this amendment is to limit mandatory shoreland zoning to the Bureau of Environmental Protection and the State Planning Office in the organized territory and the Land Use Regulation Commission and the State Planning Office in the unorganized territory.

(Schulter)  
NAME: *[Handwritten Signature]*

COUNTY: Sagadahoc

Reproduced and distributed pursuant to Senate Rule No. 11 A.

June 6, 1973. (Filing No. S-215).