

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES (Filing No. H-425)  
108TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1281, L. D. 1517, Bill,  
"AN ACT Clarifying the Saco River Corridor Commission Statutes."

Amend the Bill by inserting before the enacting clause  
the following:

'Emergency preamble. Whereas, Acts of the Legislature  
do not become effective until 90 days after adjournment unless  
enacted as emergencies; and

Whereas, thousands of persons use the Saco River annually  
for canoe trips, from several hours to several days in duration; and

Whereas, many of these canoeists build campfires on private  
lands after receiving advice and instruction together with  
permits from local or state fire wardens; and

Whereas, during the past 12 years that these permits have  
been issued there have been no campfire -caused woods fires  
along the Saco River; and

Whereas, the Attorney General of the State has determined  
that the local and state wardens were issuing permits without  
authority; and

Whereas, a campfire permit system is necessary for the summer  
season of 1977 in order to provide continuity with prior and  
future years; and

Whereas, in the judgment of the Legislature, these facts  
create an emergency within the meaning of the Constitution of  
Maine and require the following legislation as immediately  
necessary for the preservation of the public peace, health  
and safety; now, therefore, '

Further amend the Bill by inserting after the enacting clause the following:

'Sec. 1. 12 MRSA §1201, as last amended by PL 1973, c. 460, §18, is further amended by inserting before the last paragraph the following:

Saco River Corridor. Solely for the purpose of the issuance of permits pursuant to section 1402, the lands within Oxford County within the Saco River Corridor, private and special laws of 1973, chapter 150, as amended, are included within the Maine Forestry District. The annual district tax provided by section 1601 shall not be assessed for these lands included within the Maine Forestry District for this limited purpose.'

Further amend the Bill by striking out all of section 6.

Further amend the Bill by striking out all of the amending clause of section 9 and inserting in its place the following:

'Sec. 9. P&SL 1973, c. 150, §26, last ¶, 3rd and 4th sentences, as repealed and replaced by P&SL 1973, c. 208, §7, are amended to read:'

Further amend the Bill by inserting at the end of section 9 the following:

'Any variance granted by the commission may be granted subject to such reasonable conditions concerning matters enumerated in section ~~16~~ 19 as the commission finds necessary to avoid the dangers enumerated in section ~~12~~ 15.'

Further amend the Bill by striking out all of section 11.

Further amend the Bill by renumbering sections to read consecutively.

Further amend the Bill by inserting at the end before the

statement of fact the following:

'Emergency clause, In view of the emergency cited in the preamble, this Act shall take effect when approved.'

Statement of Fact

The purpose of this amendment is to delete section 6 which is no longer necessary and to make other technical changes which do not significantly affect the substance of the Saco River Corridor law.

The amendment also adds an emergency clause so that the public may benefit immediately from the changes necessitated by the fact that wardens were not previously authorized to issue permits required for campfires.

It should be noted that the 2nd subsection of the statement of fact on the bill should read:

2. Changing the description of requirements for permits for single family residences in a limited residential district from the word "criteria" to "performance standards" so as to resolve a disagreement as to whether they may be relaxed by variance like other general performance standards and by adding 2 additional standards covering situations not previously provided for; and

Reported by the Committee on Natural Resources.

Reproduced and distributed under the direction of the Clerk of the House.

5/26/77

(Filing No. H-425)