

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
110TH LEGISLATURE  
FIRST REGULAR SESSION

L.D. 1550  
(Filing No. H-454)

COMMITTEE AMENDMENT "A" to H.P. 1365, L.D. 1550, Resolve,  
Providing for Standards to Achieve Erosion Control on Roads  
in Organized Areas under the Site Location of Development Law."

Amend the Resolve by striking out everything after the  
title and inserting in its place the following:

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

Whereas, the Legislature has directed the Board of  
Environmental Protection and the <sup>Maine</sup>/Land Use Regulation Commission  
to adopt standards and guidelines for the construction of roads;  
and

Whereas, the Board of Environmental Protection has adopted  
these standards under chapter 377 of the rules of the department  
effective September 14, 1980, in accordance with the site  
location of development law; and

Whereas, the <sup>Maine</sup>/Land Use Regulation Commission has adopted a  
revision of the ~~Land use~~ handbook, section 6; and

Whereas, in order for these standards and revisions to  
remain in effect beyond 90 days after adjournment of the First  
Regular Session of the 110th Legislature, the Legislature must  
approve these standards and revisions; and

Whereas, these guidelines and regulations are designed and  
intended to allow for the construction of roads according to  
reasonable judgment and good engineering practices, while  
providing for a considerable degree of landowner flexibility and  
discretion so long as erosion and sedimentation are reasonably  
avoided; 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, be it

Construction of roads; standards approved. Resolved:

That the Legislature approve the standards governing the construction of roads provided in chapter 377 of the rules of the Department of Environmental Protection effective September 14, 1980, and the adopted revision to the <sup>Maine</sup> Land Use Regulation Commission's ~~Land use~~ handbook, section 6.

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

Statement of Fact

This amendment provides legislative approval of both the standards for road construction adopted by the Board of Environmental Protection and the revisions to the ~~Land use~~ <sup>Maine</sup> handbook, section 6, adopted by the <sup>Maine</sup> Land Use Regulation Commission.

Reported by the Committee on Energy & Natural Resources.  
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