

# 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)



# 114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

---

Legislative Document

No. 802

---

S.P. 304

In Senate, March 15, 1989

Reference to the Committee on Energy and Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator BUSTIN of Kennebec.

---

STATE OF MAINE

---

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-NINE

---

An Act Regulating Activities Adjacent to Great Ponds.

---



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

3 38 MRSA §438-A, sub-§4, as enacted by PL 1987, c. 815, §§5  
5 and 11, is amended to read:

7 4. **Failure to adopt ordinances.** If a municipality fails to  
9 adopt ordinances as required under this article or if the board  
11 determines that an ordinance which a municipality has adopted  
13 does not satisfy the requirements and purposes under this  
15 article, the board, acting in accordance with Title 5, chapter  
17 375, subchapter II, shall adopt suitable ordinances, or suitable  
19 provisions of ordinances, on behalf of the municipality. When  
21 the board adopts ordinances which contain the requirements in  
this section and beyond the minimum guidelines, and when these  
ordinances apply to great ponds which lie within the borders of  
more than one municipality, these additional requirements shall  
be imposed on each of those municipalities to the greatest extent  
feasible as determined by the board. Following adoption by the  
board, these ordinances or provisions shall be effective and  
binding within the municipality and shall be administered and  
enforced by that municipality.

23

#### STATEMENT OF FACT

25

27 This bill ensures that ordinances which regulate activities  
29 adjacent to ponds which are located in more than one municipality  
are consistent for all affected towns.