

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1595

H.P. 1096

House of Representatives, April 22, 1991

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

A handwritten signature in cursive script, reading "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative MORRISON of Bangor.

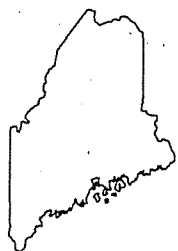
Cosponsored by Senator BALDACCI of Penobscot and Representative JACQUES of Waterville.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**An Act to Authorize the Adoption of Permit-by-rule Procedures for
Certain Activities in Class 3 Wetlands.**

(EMERGENCY)



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

Whereas, this Act requires the Board of Environmental Protection to adopt performance and use standards for the issuance of certain permits by July 15, 1991; 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 enacted by the People of the State of Maine as follows:

38 MRSA §480-H, sub-§2 is enacted to read:

2. Wetlands. By July 15, 1991, performance and use standards for the issuance, pursuant to a permit procedure established by rule, of general permits for certain categories of activities that are similar in nature and that take place in or adjacent to those wetlands meeting the criteria of Class III wetlands under rules adopted by the board.

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

STATEMENT OF FACT

Under the wetland protection rules recently adopted by the Board of Environmental Protection, certain wetlands meeting the criteria of Class III wetlands are recognized as not having especially significant values or functions. This bill requires the board to issue, by July 15, 1991, performance and use standards for the issuance of general permits for certain activities that are similar in nature in Class III wetlands.