

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 506

H.P. 393

House of Representatives, February 16, 1993

An Act to Exempt Permitted Borrow Pit Operations from Municipal Shoreland Zoning Review.

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

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative LORD of Waterboro.
Cosponsored by Senator SUMMERS of Cumberland and
Representatives: AHEARNE of Madawaska, ANDERSON of Woodland, BAILEY of
Farmington, BOWERS of Washington, CARROLL of Gray, CLARK of Millinocket, DEXTER
of Kingfield, DiPIETRO of South Portland, FARREN of Cherryfield, GOULD of Greenville,
HEINO of Boothbay, HUSSEY of Milo, KNEELAND of Easton, LOOK of Jonesboro,
MORRISON of Bangor, MURPHY of Berwick, NICKERSON of Turner, REED of Dexter,
SPEAR of Nobleboro, STEVENS of Sabattus, STROUT of Corinth, TARDY of Palmyra,
VIGUE of Winslow.

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

4 **Sec. 1. 38 MRSA §436-A, sub-§1-A is enacted to read:**

6 1-A. Borrow pit. "Borrow pit" means an excavation for the
removal of sand, fill or gravel.

8 **Sec. 2. 38 MRSA §438-A, sub-§1, ¶B is enacted to read:**

10 B. A borrow pit located within a shoreland zone and
operating under the conditions of a valid permit issued by
12 the department pursuant to chapter 3, subchapter I, article
14 6 is exempt from review and permitting by a municipality
under any municipal shoreland zoning ordinance adopted by
16 that municipality.

18 **STATEMENT OF FACT**

20 This bill exempts borrow pits that are located in shoreland
22 zones and that have valid site law permits issued by the
Department of Environmental Protection from municipal review and
24 permitting requirements in shoreland zoning ordinances.