

# 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)

M  
R. 19.

L.D. 1551

2  
4  
6  
8  
10  
12  
14  
16  
18  
20  
22  
24  
26  
28  
30  
32  
34  
36  
38  
40  
42  
44  
46

DATE: June 23, 1995 (Filing No. S- 320 )

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE  
SENATE  
117TH LEGISLATURE  
FIRST REGULAR SESSION**

SENATE AMENDMENT " A " to COMMITTEE AMENDMENT "A" to H.P. 1104, L.D. 1551, Bill, "An Act to Protect Traditional Uses in the North Woods"

Amend the amendment by striking out all of the last indented paragraph on page 1 (page 1, lines 48 to 51 in amendment)

Further amend the amendment by striking out all of the first indented paragraph on page 2 (page 2, lines 2 to 13 in amendment) and inserting in its place the following:

'Further amend the bill by striking out all of section 2 and inserting in its place the following:

'Sec. 2. 12 MRSA §685-A, sub-§5, as amended by PL 1995, c. 64, §1, is further amended to read:

**5. Considerations, application and exemptions.** A land use standard may not deprive an owner or lessee or subsequent owner or lessee of any interest in real estate of the use to which it is lawfully devoted at the time of adoption of that standard. Year-round and seasonal single residences and operating farms in existence and use as of September 23, 1971, while so used, and new accessory buildings or structures or renovations of the buildings or structures that are or may be necessary to the satisfactory and comfortable continuation of these residential and farm uses are exempt from the requirements of section 685-B, subsection 1.

Land use standards adopted pursuant to this chapter for management districts may in no way not limit the right, method or manner of cutting or removing timber or crops, the construction

**SENATE AMENDMENT**

R 23

2 and maintenance of hauling roads, the operation of machinery or  
3 the erection of buildings and other structures used primarily for  
4 agricultural or commercial forest product purposes, including  
5 tree farms. Notwithstanding this subsection, a permit from the  
6 commission is required for roads covering a ground area of 3  
7 acres or more constructed in management districts, unless those  
8 roads are constructed and maintained in accordance with the  
9 guidelines of the commission's Land Use Handbook, Section 6,  
10 "Erosion Control on Logging Jobs," or as revised. The commission  
11 may require a person constructing a road to notify the commission  
12 of the location of the road within 21 days.

13 Land use standards adopted pursuant to this chapter must  
14 establish a minimum setback of 100 feet for all structures within  
15 a commercial sporting camp complex that are constructed solely  
16 for the housing of guests, including structures within a main  
17 sporting camp complex and an outpost camp. The standards must  
18 establish a minimum setback of 150 feet for all other structures  
19 within a sporting camp complex, including, but not limited to, a  
20 main lodge, a dining area, a workshop and a parking area.

21 In adopting district boundaries and land use standards, the  
22 commission shall give consideration to public and private  
23 planning reports and other data available to it, and shall give  
24 weight to existing uses of land and to any reasonable plan of its  
25 owner as to its future use.

26 A permit from the commission is not required for the repair or  
27 maintenance of county-owned roads, bridges or culverts as long as  
28 the repair or maintenance is conducted in accordance with  
29 commission standards that pertain to these activities.' '

30  
31  
32  
33  
34 **STATEMENT OF FACT**

35 This amendment is being presented on behalf of the Committee  
36 on Bills in the Second Reading to correct an incorrect history  
37 and to prevent a conflict by incorporating changes made to the  
38 Maine Revised Statutes, Title 12, section 685-A, subsection 5 in  
39 Public Law 1995, chapter 64.

40  
41  
42  
43  
44 SPONSORED BY:   
45 (Senator CARPENTER)

46 COUNTY: York  
47  
48