

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 107

H.P. 91

House of Representatives, January 12, 2009

An Act To Change the Classification of Man-made Wetlands

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative THOMAS of Ripley.
Cosponsored by Senator TRAHAN of Lincoln and
Representatives: CLARK of Millinocket, CRAY of Palmyra, DAVIS of Sangerville,
GIFFORD of Lincoln, JOHNSON of Greenville, JOY of Crystal, SAVIELLO of Wilton,
Senator: GOOLEY of Franklin.

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

2 **Sec. 1. 38 MRSA §480-B, sub-§4, ¶B**, as amended by PL 1995, c. 460, §1 and
3 affected by §12, is further amended to read:

4 B. Inundated or saturated by surface or groundwater at a frequency and for a
5 duration sufficient to support, and ~~which~~ that under normal circumstances do support,
6 a prevalence of wetland vegetation typically adapted for life in saturated soils; ~~and~~

7 **Sec. 2. 38 MRSA §480-B, sub-§4, ¶C**, as enacted by PL 1987, c. 809, §2, is
8 amended to read:

9 C. Not considered part of a great pond, coastal wetland, river, stream or brook; and

10 **Sec. 3. 38 MRSA §480-B, sub-§4, ¶D** is enacted to read:

11 D. Not man-made wetlands.

12 **Sec. 4. 38 MRSA §480-B, sub-§5-B** is enacted to read:

13 **5-B. Man-made wetlands.** "Man-made wetlands" means wetlands that are created
14 solely as a result of human activity, except that "man-made wetlands" does not include
15 wetlands created in connection with a compensation project pursuant to section 480-Z.

16 **SUMMARY**

17 The bill exempts man-made wetlands from state regulation under the Natural
18 Resources Protection Act unless the man-made wetlands were created in connection with
19 a compensation project.