

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

**THIRD SPECIAL SESSION**

October 1, 1992 to October 6, 1992

**FOURTH SPECIAL SESSION**

October 16, 1992

ONE HUNDRED AND SIXTEENTH LEGISLATURE

**FIRST REGULAR SESSION**

December 2, 1992 to July 14, 1993

THE GENERAL EFFECTIVE DATE FOR

FIRST REGULAR SESSION

NON-EMERGENCY LAWS IS

OCTOBER 13, 1993

PUBLISHED BY THE REVISOR OF STATUTES  
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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J.S. McCarthy Company  
Augusta, Maine  
1993

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**PUBLIC LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED AT THE**  
**FIRST REGULAR SESSION**

**of the**  
**ONE HUNDRED AND SIXTEENTH LEGISLATURE**

**1993**

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**Sec. 9. 10 MRSA §1100-P, sub-§2**, as enacted by PL 1983, c. 856, §4, is amended to read:

**2. Authority.** The authority shall file a report showing the balance of the each Job-start Revolving Loan Fund, the status of all outstanding loans and a report on all other program activities as part of the annual report required by section 974.

**Sec. 10. Transition provisions.** The Finance Authority of Maine, in consultation with the community action agencies, shall develop rules for the establishment of and transfer of funds to separate revolving loan funds for community action agencies. These rules must be adopted in accordance with the Maine Administrative Procedure Act and must allow the community action agencies making the showings required by this Act to commence administration of the program locally by no later than July 1, 1994.

See title page for effective date.

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## CHAPTER 215

### H.P. 710 - L.D. 961

#### An Act to Exempt Lawful Marine Harvesting Activities in Coastal Wetlands from the Natural Resource Protection Laws

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

**Sec. 1. 38 MRSA §480-Q, sub-§11**, as amended by PL 1991, c. 240, §2, is further amended to read:

**11. Soil evaluation.** Borings taken to evaluate soil conditions in or adjacent to a great pond, river, stream or brook, coastal wetland, freshwater wetland or sand dune are exempt from the provisions of this article provided that no area of wetland vegetation is destroyed or permanently removed; and

**Sec. 2. 38 MRSA §480-Q, sub-§12**, as enacted by PL 1991, c. 240, §3, is amended to read:

**12. Existing access ways.** Normal maintenance and repair or reconstruction of existing access ways in freshwater or coastal wetlands to residential dwellings as long as:

A. The applicant shows evidence that the access way in disrepair is the existing route of access to the residential dwelling;

B. Erosion control measures are used;

C. Intrusion of the access way into the freshwater or coastal wetland is minimized and allows for proper drainage where necessary;

D. The access way, if in a coastal wetland, is traditionally dry at mean high tide; and

E. A notice of intent to maintain, repair or reconstruct the access way and the description of the work to be completed are submitted to the commissioner and to the municipal reviewing authority at least 20 days before the work is performed; and

**Sec. 3. 38 MRSA §480-Q, sub-§13** is enacted to read:

**13. Lawful harvesting of marine organisms or vegetation in coastal wetlands.** A person lawfully engaged in the harvesting of marine organisms or vegetation under the provisions of Title 12, chapter 605 is not required to obtain a permit to engage in those activities in a coastal wetland. Within a coastal wetland, the removal of vegetation or displacement of soil associated with or authorized by those lawful activities is not a violation of this article.

See title page for effective date.

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## CHAPTER 216

### S.P. 210 - L.D. 681

#### An Act to Prohibit Commercial Hunting on Unlicensed Land

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

**Sec. 1. 12 MRSA §7104-A** is enacted to read:

**§7104-A. Prohibition on game fees**

A person may not charge any fee for access to land if the fee is contingent upon the taking of game on that land or directly related to the taking of game on the land unless the land is an authorized commercial shooting area licensed under section 7104. This section does not apply to the following fees:

**1. Gate fees.** Gate fees or other access fees that are unrelated to the taking of game;

**2. Guiding fees.** Fees charged by licensed guides or other fees that are unrelated to access to land; or

**3. Fees for placing bear bait.** Fees that are directly related to the placing of bear bait on land.