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Public Law
123rd Legislature
First Regular Session

Chapter 364
S.P. 531 - L.D. 1508

An Act To Protect the Scenic Value of the Kennebec River

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

Whereas, this legislation needs to take effect immediately so that the banks of the Kennebec River will be preserved; 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:

Sec. 1. 12 MRSA §403, sub-§7, as enacted by PL 1983, c. 458, §1, is amended to read:

7. Kennebec River. The Kennebec River from Bay Point in Georgetown to the ~~Father Curran Bridge in Augustais~~ confluence with the Sebasticook River in Winslow and from the confluence of the Dead River with the Kennebec River up to, but not including, the Harris Dam in Indian Stream Township;

Sec. 2. 38 MRSA §490-D, sub-§5-A, ¶A, as enacted by PL 1995, c. 287, §11, is amended to read:

A. A natural buffer strip at least 100 feet wide must be maintained between the working edge of the excavation and the normal high water line of a great pond classified as GPA ~~or~~, a river flowing to a great pond classified as GPA or a segment of the Kennebec River identified in Title 12, section 403, subsection 7.

Sec. 3. 38 MRSA §490-Z, sub-§5, ¶A, as enacted by PL 1995, c. 700, §35, is amended to read:

A. A natural buffer strip at least 100 feet wide must be maintained between the working edge of the excavation and the normal high water line of a great pond classified as GPA ~~or~~, a river flowing to a great pond classified as GPA or a segment of the Kennebec River identified in Title 12, section 403, subsection 7.

Sec. 4. Report on gravel pit and quarry setbacks and buffers. The Department of Environmental Protection shall review the setback and buffer standards for excavations and quarries, including how setbacks and buffers for areas of steep slopes are addressed. The department shall submit a report of its findings and recommendations, including any necessary implementing legislation, to the Joint Standing Committee on Natural Resources by January 15, 2008. The committee may submit legislation relating to the report to the Second Regular Session of the 123rd Legislature.

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

Effective June 20, 2007.