

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fifth Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
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person doing the removing of such part or accessory shall be liable to prosecution. This shall apply to removal without written permission of the vehicle itself, and shall include any person or persons whatsoever, including the owner of the vehicle.

Effective September 23, 1971

Chapter 355

AN ACT Phasing out Log Driving in the Inland Waters of the State.

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

R. S., T. 38, § 418, additional. Title 38 of the Revised Statutes is amended by adding a new section 418 to read as follows:

§ 418. Log driving and storage

1. Prohibitions. No person, firm, corporation or other legal entity shall place logs or pulpwood into the inland waters of this State after October 1, 1976 for the purpose of driving the same to pulp mills.

No person, firm, corporation or other legal entity shall place logs or pulpwood on the ice of any inland waters of this State after October 1, 1976.

No person, firm, corporation or other legal entity shall place logs or pulpwood into the inland waters of this State after October 1, 1976 for the purpose of storage or curing the same, or for other purposes incidental to the processing of forest products, without a permit from the commission as described in subsection 2.

2. Storage; permit. Whoever proposes to use the inland waters of this State after October 1, 1976 for the storage or curing of logs or pulpwood, or for other purposes incidental to the processing of forest products, shall apply to the commission for a permit for such use. Applications for such permits shall be in such form and require such information as the commission may determine, and shall be accompanied by a processing fee of \$75.

Within 45 days of receipt of an application, the commission shall either grant the application or hold a public hearing thereon as provided.

If the commission is able to find, on the basis of the application, that the proposed use will not lower the existing quality or the classification, whichever is higher, of any waters, nor adversely affect the public rights of fishing and navigation therein, and that inability to conduct such use will impose undue economic hardship on the applicant, it shall grant the permit for a period not to exceed 3 years, with such terms and conditions as, in its judgment, may be necessary to protect such quality, standards and rights.

In the event the commission deems it necessary to solicit further evidence regarding the proposed use, it shall schedule a public hearing on the application, and shall give public notice by publication in a newspaper circulated

in the area of the proposed use and in a newspaper having state-wide circulation and distribution in the said area, once a week for 2 successive weeks, the date of the last publication being at least 3 days before the date of the hearing. Notice of the hearing shall also be given to the applicant at least 21 days before the date of the hearing.

At such hearing the commission shall solicit and receive testimony concerning the nature and extent of the proposed use and its impact on existing water quality, water classification standards and the public rights of fishing and navigation and the economic implications upon the applicant of such use. If after hearing the commission determines that the proposed use will not lower the existing quality or the classification standards, whichever is higher, of any waters, nor adversely affect the public rights of fishing and navigation therein and that inability to conduct such use will impose undue economic hardship on the applicant, it shall grant the permit for a period not to exceed 3 years, with such terms and conditions, as in its judgment, may be necessary to protect such quality, standards and rights.

A full and complete record shall be kept of all hearings held under this section and all testimony shall be taken by a stenographer.

3. Exception. This section shall not apply to waters under the jurisdiction of the International Joint Commission of the United States and Canada.

Effective September 23, 1971

Chapter 356

AN ACT to Amend the Snowmobile Law.

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

Sec. 1. R. S., T. 12, § 1971, sub-§ 2-A, additional. Section 1971 of Title 12 of the Revised Statutes, as enacted by section 1 of chapter 414 of the public laws of 1969, is amended by adding a new subsection 2-A, to read as follows:

2-A. Owner. "Owner" for the purposes of registration shall mean any person, firm or corporation or association holding title to a snowmobile or having exclusive right to the use thereof for a period greater than 30 days.

Sec. 2. R. S., T. 12, § 1972, amended. The first paragraph of section 1972 of Title 12 of the Revised Statutes, as enacted by section 1 of chapter 414 of the public laws of 1969, is amended by inserting after the first sentence the following new sentence:

In any event, all snowmobiles owned by Maine residents and operated in Maine must be registered in this State.

Sec. 3. R. S., T. 12, § 1972, amended. The first and 2nd sentences of the 2nd paragraph of section 1972 of Title 12 of the Revised Statutes, as enacted by section 1 of chapter 414 of the public laws of 1969, are amended to read as follows: