

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fifth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with  
the Revised Statutes of 1964, Title 3 Section 164, Subsection 6.

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THE KNOWLTON AND McLEARY COMPANY  
FARMINGTON, MAINE  
1971

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PUBLIC LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
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mentioned, the commissioner shall grant the permit upon such terms as he deems necessary to insure that the proposed activity will comply with the foregoing standards.

Any individual person, firm, corporation, municipality, state agency or other legal entity who dredges or removes or causes to be dredged or removed any materials from, or who erects, maintains or causes to be erected or maintained any causeway, bridge, marina, wharf, dock or permanent structure, or deposits fill in, on, over or abutting on any great pond without a permit from the commissioner as provided in this section shall be punished by a fine of not less than \$200 nor more than \$100 for each day of such violation.

In the event of the violation of this paragraph, the Attorney General may institute proceedings to enjoin further violations and to compel restoration of the affected area to its condition prior to the occurrence of the violation.

For purposes of this section "great pond" shall include any inland body of water which in its natural state has a surface area in excess of 10 acres, and any body of water artificially formed or increased which has a surface area in excess of 30 acres, the shore of which is owned by 2 or more persons, firms, corporations or other legal entities.

Sec. 3. R. S., T. 5, § 2301, sub-§ 1, amended. Subsection 1 of section 2301 of Title 5 of the Revised Statutes, as amended, is further amended by inserting before the 12th paragraph from the end the following new paragraph:

Forest Commissioner.

Sec. 4. R. S., T. 12, § 2205, repealed and replaced. Section 2205 of Title 12 of the Revised Statutes is repealed and the following enacted in place thereof:

§ 2205. Bulldozing of rivers, streams and brooks

Whoever bulldozes, causes to be bulldozed, fills or dredges between the banks of a river, stream or brook capable of floating watercraft, without first obtaining permission from the commissioner, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$100 nor more than \$1,000. This section shall not apply to river, stream or brook crossings in connection with public works projects which shall alter not more than 200 feet of shore nor to private crossing or dam projects which shall not alter more than 100 feet of shore.

Effective September 23, 1971

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## Chapter 546

### AN ACT Relating to Licenses and Fees under the Dog Laws.

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

Sec. 1. R. S., T. 7, § 3451, amended. The 7th paragraph of section 3451 of Title 7 of the Revised Statutes, as enacted by section 4 of chapter 193 of the public laws of 1965, is amended to read as follows:

"Kennel" means one pack or collection of dogs kept under one ownership in a single premise for breeding, hunting, show, training, field trials and exhibition purposes ~~or maintained as a business for the buying and selling of dogs or for any form of boarding of dogs.~~

Sec. 2. R. S., T. 7, § 3451, amended. Section 3451 of Title 7 of the Revised Statutes, as amended, is further amended by adding after the 9th paragraph 2 new paragraphs to read as follows:

"Pet shop" means any place, building, tract of land, abode or vehicle wherein or whereon any dogs, cats, rodents, reptiles, pet birds, pet animals, exotic birds or exotic animals are offered for sale which are not bred by the vendor. Any person, firm or corporation maintaining a pet shop shall obtain from the Commissioner of Agriculture a license therefor which license shall expire December 31st annually and the fee for such license shall be \$50.

"Boarding kennel" means any place, building, tract of land, abode or vehicle wherein or whereon privately owned dogs or other pets, or both, are kept for their owners in return for a fee. Any person, firm or corporation maintaining a boarding kennel shall obtain from the Commissioner of Agriculture a license therefor which license shall expire December 31st annually and the fee for such license shall be \$25.

Effective September 23, 1971

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## Chapter 547

AN ACT Revising the Implied Consent Law for Operators of Motor Vehicles.

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

R. S., T. 29, § 1312, repealed and replaced. Section 1312 of Title 29 of the Revised Statutes, as repealed and replaced by section 1 of chapter 439 of the public laws of 1969, is repealed and the following enacted in place thereof:

§ 1312. Implied consent to chemical tests; operation under the influence of intoxicating liquor; penalties

Any person who operates or attempts to operate a motor vehicle within this State shall be deemed to have given consent to a chemical test to determine his blood-alcohol level by analysis of his blood or breath, if arrested for operating or attempting to operate a motor vehicle while under the influence of intoxicating liquor.

He shall be informed by a law enforcement officer of the tests available to him, and said accused shall select and designate one of the tests. At his request he may have a test of his blood administered by a physician of his choice, if reasonably available.

1. Prerequisites to tests. Before any test specified is given, the law enforcement officer shall inform the arrested person of the consequences of his refusal to permit a test at the direction of the law enforcement officer.