

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**November 13, 2002 to November 14, 2002**

**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 4, 2002 to June 14, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**FEBRUARY 13, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 13, 2003**

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

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2003**

<b>General Fund</b>	<b>2002-03</b>	<b>2003-04</b>	<b>2004-05</b>
All Other	(\$698)	\$0	\$0
General Fund Total	(\$698)	\$0	\$0

**Division of Plant Industry 010 01A 0831 01**

Initiative: Deappropriates funds from a reduction in operations. The funds will be reappropriated to the Maine Milk Commission for transfer to the Maine Milk Pool to aid the dairy industry.

<b>General Fund</b>	<b>2002-03</b>	<b>2003-04</b>	<b>2004-05</b>
All Other	(\$4,600)	\$0	\$0
General Fund Total	(\$4,600)	\$0	\$0

**Maine Milk Commission 014 01A 0188 01**

Initiative: Provides for a one-time appropriation of funds to be transferred to the Maine Milk Pool.

<b>General Fund</b>	<b>2002-03</b>	<b>2003-04</b>	<b>2004-05</b>
All Other	\$463,087	\$0	\$0
General Fund Total	\$463,087	\$0	\$0

Initiative: Provides for the allocation of funds to the Maine Milk Commission's Milk Pool account to carry out the provisions of this Act. The funds must be distributed equitably no later than September 30, 2003 to all Maine dairy farmers in accordance with their production.

<b>Other Special Revenue Funds</b>	<b>2002-03</b>	<b>2003-04</b>	<b>2004-05</b>
All Other	\$1,400,000	\$1,800,000	\$0
Other Special			
Revenue Funds Total	\$1,400,000	\$1,800,000	\$0

**Maine Milk Commission 014 01A 0188 01**

Initiative: Provides for the allocation of funds to the Maine Milk Commission's Milk Pool account, created in the Maine Revised Statutes, Title 7, section 3153, to be distributed to Maine dairy farmers pursuant to Title 7, section 3153-A.

<b>Other Special Revenue Funds</b>	<b>2002-03</b>	<b>2003-04</b>	<b>2004-05</b>
All Other	\$0	\$3,000,000	\$0
Other Special			
Revenue Funds Total	\$0	\$3,000,000	\$0

**AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF 01A**

	<b>2002-03</b>	<b>2003-04</b>	<b>2004-05</b>
<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$1,400,000</b>	<b>\$4,800,000</b>	<b>\$0</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$1,400,000</b>	<b>\$4,800,000</b>	<b>\$0</b>

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

Effective May 9, 2003.

**CHAPTER 121**

**H.P. 380 - L.D. 491**

**An Act To Manage Water Resources**

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

**Sec. 1. 22 MRSA §2660-A, sub-§3,** as amended by PL 1997, c. 587, §2, is repealed and the following enacted in its place:

**3. Appeal.** The commissioner, after consultation with the Public Utilities Commission, the Department of Environmental Protection and the State Geologist, may authorize transport of water for commercial purposes if the commissioner finds that:

A. Transport of the water will not constitute a threat to public health, safety or welfare;

B. Water is not available naturally in the location to which it will be transported;

C. Failure to authorize transport of the water would create a substantial hardship to the potential recipient of the water; and

D. For a source not otherwise permitted by the Department of Environmental Protection, the water withdrawal will not adversely affect existing uses of groundwater or surface water resources, including private wells.

Any authorization under this subsection is for a period not to exceed 3 years but may be renewed subject to the same criteria. The department may adopt rules necessary for the implementation of this subsection. The rules may include imposition of a fee to cover the costs of providing permits, including any impact studies required by the department. Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

**CHAPTER 122**

**S.P. 130 - L.D. 354**

**An Act Relating to the Operation of Snowmobiles**