

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

## One Hundred and Fourth Legislature

OF THE

# STATE OF MAINE

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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1969

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PUBLIC LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
ONE HUNDRED AND FOURTH LEGISLATURE  
1969

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No group of buildings which is reasonably classified as overnight camps shall qualify as a hotel.

A hotel shall be deemed to be serving meals when it provides on the premises a public dining room or rooms, open and serving food during the morning, afternoon and evening, and a separate kitchen in which food is regularly prepared for the public. The commission is specifically authorized to make such rules and regulations as they deem necessary to carry out this section.

Nothing in this subsection shall be held to prevent the commission from issuing part-time licenses to bona fide part-time hotels. The above requirements with respect to number of rooms shall not apply to premises licensed on August 13, 1947.

Sec. 2. R. S., T. 28, § 701, amended. The first paragraph of section 701 of Title 28 of the Revised Statutes is amended to read as follows:

Fees for full-year licenses shall be:

Hotel—Spirituous and vinous, in cities or towns having population of 10,000 or more, serving meals .....	\$ 600.00
Hotel—Spirituous and vinous, in cities or towns having population of 10,000 or more, either serving or not serving meals	1,000.00
Hotel—Spirituous and vinous, in cities or towns having population of less than 10,000, serving meals .....	300.00
Hotel—Spirituous and vinous, in cities or towns having population of less than 10,000, either serving or not serving meals	500.00

Effective October 1, 1969

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## Chapter 166

### AN ACT Concerning the Administration and Program of the New England Interstate Water Pollution Control Commission.

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

Sec. 1. R. S., T. 38, § 491-A, additional. Title 38 of the Revised Statutes is amended by adding a new section 491-A, to read as follows:

#### § 491-A. Reaffirmation of support — Article I-A

The State reaffirms its support of the cooperative approach to the abatement and control of water pollution as embodied in the New England Interstate Water Pollution Control Compact. In view of the increases in population concentrations, the growing need of industry and agriculture for water of reasonable quality and the quality requirements of water based recreation and other uses, the New England Interstate Water Pollution Control Commission shall develop and maintain its programs, including research on water

quality problems, at such levels, including, to the extent necessary, levels above those originally provided when this State first enacted the compact, as may be appropriate.

Sec. 2. R. S., T. 38, § 492, amended. Section 492 of Title 38 of the Revised Statutes is amended by adding at the end the following:

This State concurs in the conferring of any powers or duties on the New England Interstate Water Pollution Control Commission by other states in addition to those conferred by provision of this compact.

The concurrence is subject to the following limitations:

1. Limitations. Unless this State specifically confers a power or duty on the commission, other than one conferred by the compact itself, no financial or other burden or duties shall be placed upon this State, or any agency, officer or subdivision thereof by reason of the conferring or exercise of the powers or duty. At any time, the Governor, Attorney General or the Treasurer of State shall have the power to make inquiry of the commission and to examine its books and records in order to ascertain the state of compliance with this compact.

2. Rights. The rights, privileges and responsibilities of this State with respect to the New England Interstate Water Pollution Control Compact and the commission established thereby shall not be limited or impaired.

3. Account. The commission shall include in its annual report to the Governor and the Legislature of this State a full account of any additional powers or duties administered by it.

Sec. 3. R. S., T. 38, § 494, amended. Section 494 of Title 38 of the Revised Statutes is amended by adding at the end the following:

In addition to the minimal personnel authorization contained in this article, the commission may employ such engineering, technical and other professional, secretarial and clerical personnel as the proper administration and functioning of the commission may require.

Sec. 4. R. S., T. 38, §§ 496-A - 496-C, additional. Title 38 of the Revised Statutes is amended by adding 3 new sections to read as follows:

#### § 496-A. Personnel and programs — Article VI-A

The commission may develop standards for the training, educational and experience requirements for operating personnel necessary to the proper operation of sewage and other waste treatment plants.

The commission may administer programs of training and certification for such personnel, and may make classifications thereof. Any certificate issued by the commission shall be accepted by this State and all agencies and subdivisions thereof as conclusive evidence that the holder has the training, education and experience necessary for certification for the class of position or responsibility described therein. The Water and Air Environmental Improvement Commission may impose and administer any other requirements for certification within any applicable provisions of law, but

it shall not reexamine or reinvestigate the applicant for a certificate with respect to his training, education or experience qualifications.

The commission shall keep a record of all certificates issued by it, and in response to any inquiry concerning such a certificate, the commission shall inform the inquirer concerning its issuance and validity. The commission shall annul any certificate issued by it, if the commission finds that the certificate was obtained by misrepresentation of any material fact relating to the education, training or experience of the applicant. Such annulment shall be pursuant to rules and regulations of the commission which shall afford due notice to the certificate holder and an opportunity to present relevant evidence for consideration by the commission.

Nothing contained in this section shall limit or abridge the authority of the commission to revise its standards and to issue new or additional certificates. In any such case, the Water and Air Environmental Improvement Commission may require an applicant for a certificate to present a certificate or certificates which evidence training, education and experience meeting the current standards of the commission.

Certificates issued by the commission shall be recognized and given in connection with personnel employed in or having responsibilities for plants discharging into any waters of this State.

Nothing in this section shall be construed to require any person to have a certificate in order to be employed in the operation of a sewage or other waste treatment plant. Such requirements, if any, shall be as set forth in or pursuant to other laws of this State: Provided that in any case where a certificate is required, an appropriate certificate issued by the commission shall be accepted in lieu of any certificate otherwise required.

To the extent that the authority conferred upon the commission by this section is not otherwise exercisable by the commission under the compact, the commission shall not require the financial or other support of the program or programs authorized hereby by any state not having enacted legislation substantially similar to this section.

#### § 496-B. Water quality network — Article VI-B

The commission, in cooperation with this State and such other states signatory to the New England Interstate Water Pollution Control Compact as may participate, shall establish and maintain a water quality sampling and testing network. The network shall, to the fullest extent practicable, rely upon the sampling and testing programs of this State, such other participating states, and upon information available from agencies of the Federal Government, and shall not duplicate any of their activities. However, if the sampling and testing programs of this State and other states, and the information available from agencies of the Federal Government are insufficient to provide the commission with records of water quality adequate for its needs, the commission may supplement the sampling and testing otherwise available to it.

Sampling pursuant to this section shall be at points at or near the places where waters cross a boundary of this State, and the samples shall be tested

in order to determine their quality. The sampling and testing provided for herein shall be scheduled by the commission or in accordance with its requests, and shall include such factors or elements as the commission shall request. Any sampling and testing done by the Water and Air Environmental Improvement Commission of this State as part of the activities of the commission's network shall be reported fully and promptly by such agency to the commission, together with the results thereof.

#### § 496-C. Limitations — Article VI-C

Unless otherwise conferred by law, the commission shall not have power to issue permits or licenses in connection with the discharge or treatment of wastes, or pass upon plans or specifications for particular waste treatment or collection equipment or facilities.

Effective October 1, 1969

## Chapter 167

### AN ACT Relating to Night Hunting for Migratory Game Birds.

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

**R. S., T. 12, § 2455, amended.** The first paragraph of section 2455 of Title 12 of the Revised Statutes, as amended by section 18 of chapter 448 of the public laws of 1965, is further amended to read as follows:

It shall be unlawful to hunt wild birds, including migratory game birds, in this State from sunset to  $\frac{1}{2}$  hour before sunrise of the following morning.

Effective October 1, 1969

## Chapter 168

### AN ACT Providing for Complimentary Fishing Licenses for Blind Persons.

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

**R. S., T. 12, § 2601, sub-§ 11-B, additional.** Section 2601 of Title 12 of the Revised Statutes, as amended, is further amended by adding a new subsection 11-B, to read as follows:

**11-B. Complimentary licenses to blind persons.** A complimentary license to fish shall be issued to any resident of Maine who is over 16 years of age and blind and applies therefor to the Commissioner of Inland Fisheries and Game. Such application shall be accompanied by certified evidence that the applicant is blind. For the purpose of this subsection, blind person shall mean a person whose visual acuity for distant vision is 20/200 or less in the better eye with best correction, or visual acuity of more than 20/200 if the widest diameter of field of vision subtends an angle no greater than 20 degrees.

Effective October 1, 1969