

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

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.

---

THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1971

---

---

PUBLIC LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
One Hundred and Fifth Legislature  
1971

---

---

Sec. 4. R. S., T. 33, § 353, amended. Section 353 of Title 33 of the Revised Statutes, as amended, is further amended by adding at the end 3 new paragraphs to read as follows:

Any plats of a subdivision approved by the municipal officers of the municipality in which the land is located, recorded prior to January 1, 1970 in the registry of deeds for the county in which the land is located and otherwise valid, except that the same were not approved by a planning board pursuant to the 1944 Revised Statutes of Maine, chapter 80, section 85, as amended, the 1954 Revised Statutes of Maine, chapter 91, section 94, as amended, the 1954 Revised Statutes of Maine, chapter 90-A, section 61, as amended, or the 1964 Revised Statutes of Maine, Title 30, section 4956, as amended, are hereby validated.

Any plats of a subdivision approved by the planning board of the municipality in which the land is located, recorded prior to January 1, 1970 in the registry of deeds for the county in which the land is located and otherwise valid, except that the same were not approved by the municipal officers pursuant to the 1944 Revised Statutes of Maine, chapter 80, section 85, as amended, the 1954 Revised Statutes of Maine, chapter 91, section 94, as amended, the 1954 Revised Statutes of Maine, chapter 90-A, section 61, as amended, or the 1964 Revised Statutes of Maine, Title 30, section 4956, as amended, are hereby validated.

Any plats of a subdivision approved by the planning board or by the municipal officers of the municipality or by both in which the land is located, recorded prior to January 1, 1970 in the registry of deeds for the county in which the land is located and otherwise valid, except that the approval is not noted thereon pursuant to the 1944 Revised Statutes of Maine, chapter 80, section 85, as amended; the 1954 Revised Statutes of Maine, chapter 91, section 94, as amended; the 1954 Revised Statutes of Maine, chapter 90-A, section 61, as amended or the 1964 Revised Statutes of Maine, Title 30, section 4956, as amended, are hereby validated, provided that the approval by the appropriate board can be substantiated by affidavit recorded in the registry of deeds for the county in which the land is located, the recording of the affidavit to be noted on the plat.

Effective September 23, 1971

---

## Chapter 470

### AN ACT Defining Certain Terms Used in the Environmental Laws.

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

Sec. 1. R. S., T. 38, § 361-A, additional. Title 38 of the Revised Statutes is amended by adding a new section 361-A to read as follows:

#### § 361-A. Definitions

As used in this chapter, unless the context otherwise indicates, the following words shall have the following meanings:

1. Discharge. "Discharge" when used with reference to water, means any spilling, leaking, pumping, pouring, emptying, dumping or disposing therein.

2. Fresh surface waters. "Fresh surface waters" means all waters of the State other than tidal waters.

3. Municipality. "Municipality" means a city, town, plantation or unorganized township.

4. Person. "Person" means an individual, firm, corporation, municipality, quasi-municipal corporation, state agency, federal agency or other legal entity.

5. Tidal waters. "Tidal waters" means those portions of the Atlantic Ocean within the jurisdiction of the State, and all other waters of the State subject to the rise and fall of the tide except those waters listed and classified in sections 368 and 369.

6. Transfer of ownership. "Transfer of ownership" means a sale, a lease, a sale of over 50% of the stock of a corporation to one legal entity or a merger or consolidation where the surviving corporation is other than the original licensee.

Sec. 2. R. S., T. 38, § 364, amended. The first paragraph of section 364 of Title 38 of the Revised Statutes, as repealed and replaced by section 3 of chapter 431 of the public laws of 1969, is amended to read as follows:

The commission shall have 5 standards for classification of tidal ~~or marine~~ waters as follows:

Sec. 3. R. S., T. 38, § 364, amended. The 2nd paragraph of section 364 of Title 38 of the Revised Statutes, as repealed and replaced by section 3 of chapter 431 of the public laws of 1969, is repealed.

Sec. 4. R. S., T. 38, § 367, amended. The 2nd paragraph of section 367 of Title 38 of the Revised Statutes, as enacted by section 6-A of chapter 475 of the public laws of 1967, is amended to read as follows:

The commission may, after careful consideration, public hearings and in consultation with other state agencies and, where appropriate, federal and interstate water pollution control agencies, and the municipalities and industries involved, raise the classification of any fresh surface or tidal waters, or portions thereof, and such new classification shall thereafter be the classification applicable to such fresh surface or tidal waters, or portions thereof, until 90 days after the date of adjournment of the next regular session of the Legislature unless such next regular session shall adopt by legislative enactment such new classification.

Sec. 5. R. S., T. 38, § 369, amended. The first paragraph of section 369 of Title 38 of the Revised Statutes, is repealed.