

# MAINE STATE LEGISLATURE

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LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
One Hundred and Sixth Legislature  
1ST SPECIAL SESSION  
JANUARY 2, 1974 TO MARCH 29, 1974  
AND BY THE  
One Hundred and Seventh Legislature  
REGULAR SESSION  
JANUARY 1, 1975 TO JULY 2, 1975

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  
1975

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PUBLIC LAWS  
OF THE  
STATE OF MAINE

AS PASSED BY THE  
One Hundred and Seventh Legislature

1975

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**CHAPTER 390****AN ACT to Provide Opportunity for Reasonable Correction of Applications before the Board of Environmental Protection.**

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

38 MRSA § 361-C is enacted to read:

§ 361-C. Petition for reconsideration

The commissioner shall give reasonable notice to the applicant, upon request, of the date the board will act on the application and that a draft order relating to the application is available in the Augusta office of the department. Draft orders shall be available to any persons at the Augusta office of the department prior to the date the board acts on the draft order.

Within 10 days of the applicant's receipt of a final board decision, any person aggrieved by the decision may petition the Board of Environmental Protection in writing for an opportunity to present new or additional evidence to cure any deficiencies in the original application, correct errors in the final decision, secure reconsideration of the conditions of approval or of the denial, or challenge any facts of which official notice was taken. Such petition shall set forth in detail the findings, conclusions or conditions to which the applicant objects, the basis of the objections, the nature of the relief requested and the nature of the new or additional evidence.

The board shall, within 30 days of receipt of such petition and after appropriate notice, grant the petition in full or in part, order a public hearing or dismiss the petition. Any public hearing held under this section shall be held within 30 days of the board's decision to hold such hearing and the commissioner shall provide reasonable notice to interested persons. The time for appeal of a final decision of the board on any application shall be computed from the date upon which notice is received of any administrative action pursuant to this section.

Effective October 1, 1975

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**CHAPTER 391****AN ACT Relating to the Statutes Concerning Licensing of Dogs.**

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

Sec. 1. 7 MRSA § 3451, 2nd ¶, first and 3rd sentences, as amended by PL 1965, c. 193, § 3, are further amended to read:

A fee of ~~\$7~~ \$1.50 shall be paid the city or town clerk for each license issued on male dogs, and a fee of ~~\$5~~ \$5.50 shall be paid for all female dogs capable of bearing young.

When such certificate accompanies the application, a fee of ~~\$7~~ \$1.50 shall then be paid on such spayed females.

Sec. 2. 7 MRSA § 3451, first sentence, 9th ¶, as last amended by PL 1969, c. 94, § 2, is further amended to read:

When the number of dogs so kept does not exceed 10, the fee for such license shall be ~~\$10~~ \$11 and in addition 50¢ for each license as a fee for recording and making the return required by law; when the number of dogs so kept exceeds 10, the fee for such license shall be ~~\$20~~ \$21 and in addition 50¢ for each such license as a fee for recording and making the return required by law.

Sec. 3. 7 MRSA § 3702, last sentence, as last repealed and replaced by PL 1973, c. 681, § 2, is amended to read:

The said police officer, constable or sheriff shall, before entering such complaint and obtaining said summons, call on the owner or keeper of said dog and demand that he conform with the law and obtain a license from the clerk within 7 days from the day of demand, paying to the clerk in addition to the license fee, an officer's fee of ~~\$3~~ \$4, which the clerk shall pay over to the officer, unless said payment is otherwise provided for in the municipal ordinance or charter.

Effective October 1, 1975

## CHAPTER 392

### AN ACT Clarifying the Right to Appeal from Final Decisions of the Public Utilities Commission.

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

Sec. 1. 35 MRSA § 299 is amended by adding at the end the following new sentence:

Either the examiner or the commissioner, who is the presiding officer at said hearing, shall at the outset of said hearing inform the public as to the steps necessary to preserve their right to appeal the final order or decision of the commission to the Supreme Judicial Court under the provisions of sections 303 and 305.

Sec. 2. 35 MRSA § 303, as last amended by PL 1965, c. 91, § 4, is further amended by adding after the first sentence a new sentence to read:

Any person, who has opposed and participated in opposition to applications, petitions or commission proceedings upon which a public hearing was held and who is adversely affected by the final decision of the commission, is deemed a party for purposes of taking an appeal from such decision.

Effective October 1, 1975

## CHAPTER 393

### AN ACT to Prevent Hunting of Bear in Areas Near Dumps in Unorganized Territories and Plantations of the State.

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

30 MRSA § 1202, as last amended by PL 1973, c. 118, § 2, is further amended by adding at the end the following new paragraph: