

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.

THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
1975

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
One Hundred and Seventh Legislature

1975

It shall be unlawful for any person to hunt bear within 200 feet of any dumping area in the unorganized territories and plantations of this State.

Effective October 1, 1975

CHAPTER 394

AN ACT Relating to the Maine State Lottery Law.

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

Sec. 1. 8 MRSA § 351, 3rd and 4th ¶¶, as enacted by PL 1973, c. 570, § 1, are repealed and the following enacted in place thereof:

Any member of the commission may be removed from office by the Governor if such member is absent from 3 consecutive regularly scheduled monthly meetings or 6 such meetings in any fiscal year, or for other cause, upon notice and opportunity to be heard at a public hearing.

The members of the commission shall receive no salaries but shall be allowed reasonable expenses in the performance of their official duties not exceeding \$5,000 per year in the case of the chairman and \$3,500 in the case of each of the other commissioners. These expenses shall include a per diem of \$25 for each commission meeting attended, not to exceed 20 such meetings in any fiscal year and such other reasonable expenses incurred in attendance and travel to and from such meetings.

Sec. 2. 8 MRSA § 352, last ¶, as enacted by PL 1973, c. 570, § 1, is repealed and the following enacted in place thereof:

The director shall devote his entire time and attention to the duties of his office.

Sec. 3. 8 MRSA § 353, sub-§ 1, ¶ J, as enacted by PL 1973, c. 570, § 1, is repealed and the following enacted in place thereof:

J. The license fee to be charged to agents;

Sec. 4. 8 MRSA § 353, sub-§ 1, ¶ L, as last amended by PL 1973, c. 788, § 32, is further amended to read:

L. The apportionment of the total annual revenue accruing from the sale of lottery tickets or shares and from all other sources for the payment of prizes to the holders of winning tickets or shares, for the payment of costs incurred in the operation and administration of the lotteries, including the expense of the commission and the costs resulting from any contract or contracts entered into for promotional, advertising, consulting or operational services or for the purchase or lease of lottery equipment and materials, for the repayment of the moneys appropriated to the State Lottery Fund and for transfer to the General Fund for distribution pursuant to section 366, subsection 1, paragraph C.

Sec. 5. 8 MRSA § 355, sub-§ 1, 1st sentence, as enacted by PL 1973, c. 570, § 1, is repealed and the following enacted in place thereof:

A license as an agent to sell lottery tickets or shares may be issued by the director to any qualified person.

Sec. 6. 8 MRSA § 366, last ¶, as enacted by PL 1973, c. 570, § 1, is repealed.

Sec. 7. 8 MRSA § 366, sub-§ 2 is enacted to read:

2. Apportionment. The moneys in said State Lottery Fund shall be apportioned so that not less than 45% of the total ticket sales received in the lottery will be disbursed as prizes to holders of winning tickets. All other moneys, less reasonable costs for the proper administration of the State Lottery, will be the state's share.

Effective October 1, 1975

CHAPTER 395

AN ACT to Authorize the Delegation by the Board of Environmental Protection of Certain Actions to the Department of Environmental Protection.

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

38 MRSA § 361, as last amended by PL 1973, c. 788, § 206, is further amended by adding at the end the following:

The Board of Environmental Protection is hereby authorized to delegate to the Commissioner of Environmental Protection and the department staff authority to approve, approve with conditions or disapprove applications for approvals by the board made pursuant to any of the laws, including but not limited to Great Ponds Activity Permits under section 422, which the board is required to administer, provided, however, that delegation of authority under sections 413, 414, 414-A, 481 et seq. and 590 shall be limited to the applications meeting the following criteria:

1. The site location law. Sections 481 et seq., but only where an application is for development of a subdivision of less than 75 acres, with less than 25 lots and to contain less than 25 housing units;

2. Waste discharge licenses. Sections 413, 414 and 414-A, but only where an application is for a maximum daily discharge of less than 50,000 gallons per day;

3. Air emission licenses. Section 590, but only where an application is for incinerators in Classes I through IV or for a boiler at a facility with a total boiler capacity of less than 100,000,000 B.T.U.'s.

Such delegation shall be in accordance with the standards found in the applicable statute and shall not take place until the board adopts regulations for the implementation of this delegated authority, which regulations shall