

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

If the department moves, the department shall serve with the request for review a notice of hearing setting a date not less than 15 nor more than 30 days from the date of service of the notice.

2. Hearing.

A. Procedure. The hearing shall be conducted according to rules promulgated by the commissioner. The rules shall provide at least the right to confront and cross-examine witnesses, to present witnesses, to be represented by an attorney or other person, and to be notified of these rights in writing. The decision shall be limited to evidence presented at the hearing.

B. Result. Within 20 days, the responsible parent shall be served with a notice of the results.

3. No stay. A request for review shall not stay any department action.

§ 516. Judicial review

Any person who is aggrieved by any final action of the commissioner under this subchapter may file an action under Rule 80B of the Maine Rules of Civil Procedure seeking review of that action. Administrative remedies shall be exhausted prior to such review.

Effective October 1, 1975

CHAPTER 533

AN ACT Relating to Recovery and Appropriation of Penalties Recovered for Burning of Debris.

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

25 MRSA § 2440, as amended by PL 1971, c. 622, § 84, is further amended to read:

§ 2440. Penalties; recovery and appropriation

Penalties provided in sections 2431 to ~~2436~~ 2436-A and section 2439 may be recovered by complaint, indictment or civil action, 1/2 to the ~~town~~ municipality where the offense is committed and 1/2 to the ~~prosecutor~~ State.

Effective October 1, 1975

CHAPTER 534

AN ACT to Further Define and Protect Surface Sources of Public Water Supplies in Maine.

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

22 MRSA § 2437-A is enacted to read:

§ 2437-A. Source of public water supply defined; municipal regulations; penalty

1. Definition. For the purposes of this section, "source of public water supply" means any natural or man-made empoundment, pond or lake, of under 2,500 acres whose waters are transported or delivered by a water utility to the public. Where the intake of a public water supply is on the outlet of any empoundment, pond or lake, the source of such public water supply shall be considered to be the empoundment, pond or lake itself.

2. Municipal regulations authorized. The municipal officers of each municipality shall have the authority, after notice and public hearing, to adopt regulations governing the surface uses of sources of public water supply, or portions thereof, located within that municipality in order to protect the quality of such sources of public water supply or the health, safety or welfare of persons dependent upon such supplies.

At least 15 days prior to public hearings held hereunder, notice of the hearing shall be published in a newspaper of general circulation in the county in which the municipality is located and shall be mailed by registered mail to each owner of land bordering the source of public water supply within said municipality. Regulations adopted pursuant to this section shall become void upon the expiration of one year from the date of the adoption unless sooner ratified by vote of the legislative body of the municipality.

3. Penalty. Whoever willfully violates any regulation established under the authority of this section shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than \$300.

Effective October 1, 1975

CHAPTER 535

AN ACT Relating to the Registration and Practice of Professional Engineering.

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

32 MRSA § 1357 is repealed and the following enacted in place thereof:

§ 1357. Expiration and renewals

Certificates of registration shall expire on the last day of December of odd-numbered years following their issuance or renewal and shall become invalid on that date unless renewed. It shall be the duty of the secretary of the board to notify every person registered under this chapter of the date of the expiration of his certificate and the amount of the fee that shall be required for its renewal for a 2-year period, except when the applicant has become registered during the first year of the 2-year period, then the renewal fee shall be for the remaining one year of that 2-year period. Such notice shall be mailed at least one month in advance of the date of the expiration of said certificate. Renewal may be effected at any time during the month of December by the payment of a fee designated by the board, which shall not exceed \$15 annually nor be less than \$5 annually. The failure on the part of any registrant to renew his certificate by the end of the month