

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

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complete fiscal year by the State Department of Audit or by a certified public accountant selected by the county commissioners. The audit shall be performed in accordance with generally accepted auditing standards and procedures pertaining to governmental accounting and shall include a management letter covering the audit of the operational aspects of the county as well as suggestions which the auditor may deem advisable for the proper administration of the county. The auditor shall produce at least those reports on those forms required in section 411. When an audit is conducted by a certified public accountant, the audit shall, upon completion, be forwarded to the Department of Audit. The audit, including the management letter, shall be treated as a public document.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective June 20, 1979

CHAPTER 495

S. P. 337 — L. D. 998

AN ACT to Reclassify Certain Surface Waters and Revise Water Quality Standards.

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

Sec. 1. 38 MRSA § 363-A, 2nd ¶, first sentence, as enacted by PL 1977, c. 373, § 6, is amended to read:

Class GP-A shall be the highest classification and shall be of such quality that it can be used for recreational purposes, including bathing, fish and wildlife habitat and for public water supplies after disinfection.

Sec. 2. 38 MRSA § 363-A, 4th ¶, as enacted by PL 1977, c. 373, § 6, is repealed and the following enacted in its place:

There shall be no direct or indirect discharge of sewage, pollutants or other substances harmful to water quality or aquatic life into waters of this classification except as provided in sections 371-A and 413. No materials shall be placed on the shores or banks thereof in such a manner that the same may fall or be washed into the waters or in such a manner that the drainage therefrom may flow or leach into those waters.

Sec. 3. 38 MRSA § 367, 2nd ¶, as repealed and replaced by PL 1971, c. 622, § 135, is amended to read:

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, ~~classify or raise the~~ **recommend to the Legislature the classification or change in** classification of any fresh surface or tidal waters, or portions thereof ~~and such classification or 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 or special session of the Legislature unless such next regular or special session shall adopt by legislative enactment such new classification.~~

Sec. 4. 38 MRSA § 368, sub-§ 12, Penobscot River Basin, Piscataquis River Drainage System, as amended by PL 1967, c. 304, § 14, is further amended to read:

12. Piscataquis River, main stem, from Abbott-Guilford town line to the railroad bridge approximately 1 mile east of Merrill Brook Confluencee junction with Pleasant River—Class C.

Sec. 5. 38 MRSA § 368, sub-§ 13, Penobscot River Basin, Piscataquis River Drainage System, is repealed.

Sec. 6. 38 MRSA § 368, sub-§ 19, Penobscot River Basin, Piscataquis River Drainage System, as amended by PL 1971, c. 138, § 1, is repealed.

Sec. 7. 38 MRSA § 369, sub-§ 6, Cumberland County, Freeport, is repealed and the following enacted in its place:

6. Freeport.

A. Harvey Brook and tributaries — Class B-1.

B. Frost Gully Brook and tributaries — Class A.

C. Merrill Brook and tributaries above Maine Central Railroad crossing — Class B-2.

D. Merrill Brook and tributaries below Maine Central Railroad crossing to confluence — Class B-1.

E. Collins Brook and tributaries — Class B-2.

F. Mill Stream and tributaries — Class B-1.

G. Kelsey Brook and tributaries — Class C.

H. Little River and tributaries — Class B-2.

Sec. 8. 38 MRSA § 369, sub-§ 10, paragraph B, Cumberland County, Yarmouth, is amended to read:

B. Royal River, main stem, from its origin to the ~~Gray-New Gloucester town line intersection~~ head of tidewater (dam) above Main Street, Yarmouth — Class B-2.

Sec. 9. 38 MRSA § 370, sub-§ 5, Cumberland County, Freeport, is amended to read:

5. Freeport.

A. All waters in the Town of Freeport unless otherwise specified — Class SB-1.

B. Harraseeket Harbor upstream from an imaginary easterly line drawn from Stockbridge Point to Moore Point, including Harraseeket River to the confluence with Frost Gully Brook below the Mast Landing Road — Class SB-2.

Sec. 10. 38 MRSA § 370, sub-§ 5, paragraph C, Hancock County, Castine, as enacted by PL 1965, c. 179, § 4, is amended to read:

C. Tidal waters of Castine bordering the Penobscot River Estuary between the Penobscot-Castine boundary and a point of land at approximately N 44° 27', W 68° 47' on Dice Head due south of the lighthouse — Class SB-1.

Sec. 11. 38 MRSA § 371-A, sub-§ 4, ¶¶ B and F, as enacted by PL 1977, c. 373, § 31, are repealed.

Sec. 12. 38 MRSA § 371-A, sub-§ 4, ¶ H-1 is enacted to read:

H-1. Monson Pond, Fort Fairfield and Easton Townships, Aroostook County;

Sec. 13. 38 MRSA § 371-A, sub-§ 4, ¶ L, as enacted by PL 1977, c. 373, § 31, is repealed.

Sec. 14. 38 MRSA § 371-A, sub-§ 4, ¶ P, as enacted by PL 1977, c. 373, § 31, is amended to read:

P. Spaulding Pond, Lebanon Township, York County; and

Sec. 15. 38 MRSA § 371-A, sub-§ 4, ¶ P-1 is enacted to read:

P-1. Togus Pond, Augusta Township, Kennebec County; and