

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
**FIRST REGULAR SESSION**

December 7, 1988 to July 1, 1989

Chapters 1 - 502

THE GENERAL EFFECTIVE DATE FOR  
NON-EMERGENCY LAWS IS  
SEPTEMBER 30, 1989

PUBLISHED BY THE REVISOR OF STATUTES  
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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J.S. McCarthy Company  
Augusta, Maine  
1989

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**PUBLIC LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED AT THE**  
**FIRST REGULAR SESSION**

**of the**  
**ONE HUNDRED AND FOURTEENTH LEGISLATURE**

**1989**

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## CHAPTER 228

H.P. 747 - L.D. 1030

## An Act to Reclassify Surface Waters of the State

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

Sec. 1. 38 MRSA §467, sub-§1, as enacted by PL 1985, c. 698, §15, is repealed and the following enacted in its place:

1. Androscoggin River Basin.A. Androscoggin River, main stem, including all impoundments.

(1) From the Maine-New Hampshire boundary to its confluence with the Ellis River - Class B.

(2) From its confluence with the Ellis River to a line formed by the extension of the Bath-Brunswick boundary across Merrymeeting Bay in a northwesterly direction - Class C.

(3) The Legislature recognizes, however, that at certain times portions of the waters in the impoundments created by Gulf Island, Deer Rips and Lewiston Falls dams have not and may not continue to meet the Class C requirements for aquatic life and dissolved oxygen due to hydrologic conditions related to the creation of the impoundments, including, but not limited to, impaired mixing of water columns, historical accumulation of sediment and elevated water temperature. The Legislature further recognizes that, for the purposes of this subparagraph, these impoundments constitute a valuable, indigenous and renewable energy resource for hydroelectric energy which provides a significant contribution to the economic development and general welfare of the citizens of the State. This subparagraph is repealed on January 1, 1992.

Accordingly, the value and importance to the people of the State of hydroelectric energy and the unavoidable consequences to water quality resulting from the existence of these impoundments shall be considered when the board determines the impact of a discharge on the designated uses of the impoundments identified in this subparagraph. These impoundments shall be considered to meet their classification if the department finds that conditions in those impoundments are not preventing their designated uses from being reasonably attained. Nothing in this subparagraph may be construed to limit the board's authority to consider the require-

ments of section 414-A, subsection 1, paragraphs A to E. This subparagraph is repealed on January 1, 1992.

B. Little Androscoggin River Drainage.

(1) Little Androscoggin River, main stem.

(a) From the outlet of Bryant Pond to the Maine Central Railroad bridge in South Paris - Class B.

(b) From the Maine Central Railroad bridge in South Paris to its confluence with the Androscoggin River - Class C.

(2) Little Androscoggin River, tributaries - Class B unless otherwise specified.

(a) Outlet of Thompson Lake in Oxford - Class C.

C. Androscoggin River, Upper Drainage; that portion within the State lying above the river's most upstream crossing of the Maine-New Hampshire boundary - Class A unless otherwise specified.

(1) Cupsuptic River and its tributaries - Class AA.

(2) Kennebago River and its tributaries except for the impoundment of the dam at Kennebago Falls - Class AA.

(3) Rapid River, from a point located 1,000 feet downstream of Middle Dam to its confluence with Umbagog Lake - Class AA.

D. Androscoggin River, minor tributaries - Class B unless otherwise specified.

(1) All tributaries of the Androscoggin River that enter between the Maine-New Hampshire boundary in Gilead and its confluence with the Ellis River and that are not otherwise classified - Class A.

(2) Bear River - Class AA.

(3) Sabattus River - Class B.

(4) Webb River - Class A.

Sec. 2. 38 MRSA §467, sub-§4, as amended by PL 1987, c. 192, §17, is repealed and the following enacted in its place:

4. Kennebec River Basin.A. Kennebec River, main stem.

(1) From Moosehead Lake, including east and west outlets, to a point 1,000 feet below the lake - Class A.

(2) From a point 1,000 feet below Moosehead Lake to its confluence with Indian Pond - Class AA.

(3) From Harris Dam to a point located 1,000 feet downstream from Harris Dam - Class A.

(4) From a point located 1,000 feet downstream from Harris Dam to its confluence with the Dead River - Class AA.

(5) From its confluence with the Dead River to the Route 201A bridge in Anson-Madison except for Wyman Lake - Class A.

(6) From the Route 201A bridge in Anson-Madison to the Fairfield-Skowhegan boundary, including all impoundments - Class B.

(7) From the Fairfield-Skowhegan boundary to its confluence with Messalonskee Stream - Class C.

(8) From its confluence with Messalonskee Stream to the Sidney-Augusta boundary - Class B.

(9) From the Sidney-Augusta boundary to the Father John J. Curran Bridge in Augusta - Class C.

(10) From the Father John J. Curran Bridge in Augusta to a line drawn across the tidal estuary of the Kennebec River due east of Abagadasset Point - Class C. Further, the Legislature finds that the free-flowing habitat of this river segment provides irreplaceable social and economic benefits and that this use shall be maintained.

(11) From a line drawn across the tidal estuary of the Kennebec River due east of Abagadasset Point, to a line across the southwesterly area of Merrymeeting Bay formed by an extension of the Brunswick-Bath boundary across the bay in a northwesterly direction to the westerly shore of Merrymeeting Bay and to a line drawn from Chop Point in Woolwich to West Chop Point in Bath - Class B. Further, the Legislature finds that the free-flowing habitat of this river segment provides irreplaceable social and economic benefits and that this use shall be maintained.

#### B. Carrabassett River Drainage.

(1) Carrabassett River, main stem.

(a) Above a point located 1.0 mile above the railroad bridge in North Anson - Class A.

(b) From a point located 1.0 mile above the railroad bridge in North Anson to its confluence with the Kennebec River - Class B.

(2) Carrabassett River, tributaries - Class A unless otherwise specified.

(a) All tributaries entering the Carrabassett River below the Wire Bridge in New Portland - Class B.

#### C. Cobbosseecontee Stream Drainage.

(1) Cobbosseecontee Stream, main stem - Class B.

(2) Cobbosseecontee Stream, tributaries - Class B.

#### D. Dead River Drainage.

(1) Dead River, main stem.

(a) From the Long Falls Dam to a point 5,100 feet below the dam - Class A.

(b) From a point 5,100 feet below Long Falls Dam to its confluence with the Kennebec River - Class AA.

(2) Dead River, tributaries - Class A unless otherwise specified.

(a) Black Brook below Dead River Hatchery - Class B.

(b) Stratton Brook, Eustis, from the upper Route 16/27 bridge to its confluence with Flagstaff Lake - Class B.

(c) Spenser Stream - Class B.

#### E. Messalonskee Stream Drainage.

(1) Messalonskee Stream, main stem.

(a) From the outlet of Messalonskee Lake to its confluence with the Kennebec River - Class C.

(2) Messalonskee Stream, tributaries - Class B.

#### F. Moose River Drainage.

(1) Moose River, main stem.

(a) Above its confluence with Number One Brook in Beattie Township - Class A.

(b) From its confluence with Number One Brook in Beattie Township to its confluence with Attean Pond - Class AA.

(c) From the outlet of Attean Pond to the Route 201 bridge in Jackman - Class A.

(d) From the Route 201 bridge in Jackman to its confluence with Long Pond - Class B.

(e) From the outlet of Long Pond to its confluence with Moosehead Lake - Class A.

(2) Moose River, tributaries - Class A.

G. Sandy River Drainage.

(1) Sandy River, main stem.

(a) From the outlet of Sandy River Ponds to the Route 142 bridge in Phillips - Class AA.

(b) From the Route 142 bridge in Phillips to its confluence with the Kennebec River - Class B.

(2) Sandy River, tributaries - Class B unless otherwise specified.

(a) All tributaries entering above the Route 142 bridge in Phillips - Class A.

(b) Wilson Stream, main stem, below the outlet of Wilson Pond - Class C.

H. Sebasticook River Drainage.

(1) Sebasticook River, main stem, including all impoundments.

(a) From the confluence of the East Branch and the West Branch to its confluence with the Kennebec River - Class C.

(2) Sebasticook River, tributaries - Class B unless otherwise specified.

(a) Sebasticook River, East Branch main stem, from the outlet of Lake Wassookeag to its confluence with Corundel Lake - Class B.

(b) Sebasticook River, East Branch main stem, from the outlet of Corundel Lake to its confluence with the West Branch - Class C.

(c) Sebasticook River, West Branch main stem, from the outlet of Great Moose Lake to its confluence with the East Branch, including all impoundments - Class C.

I. Kennebec River, minor tributaries - Class B unless otherwise specified.

(1) All minor tributaries entering above Wyman Dam that are not otherwise classified - Class A.

(2) All tidal portions of tributaries entering between Edwards Dam and a line drawn across the tidal estuary of the Kennebec River due east of Abagadasset Point - Class C.

(3) Cold Stream, West Forks Plantation - Class AA.

(4) Moxie Stream, Moxie Gore, below a point located 1,000 feet downstream of the Moxie Pond dam - Class AA.

(5) Austin Stream and its tributaries above the highway bridge of Route 201 in the Town of Bingham - Class A.

See title page for effective date.

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## CHAPTER 229

H.P. 754 - L.D. 1058

### An Act Concerning Trailer Dealer Licensing

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

Sec. 1. 29 MRS §358, as amended by PL 1985, c. 401, §13, is further amended to read:

#### §358. Light trailer dealers; fee

Every manufacturer or dealer in ~~boat or snowmobile~~ trailers or semitrailers with a gross weight of 3,000 pounds or less shall annually pay a fee of \$50 for a registration certificate to handle, demonstrate, sell and exchange ~~boat or snowmobile~~ those trailers. Upon payment of \$5 per plate, plates shall be issued, the number to be determined by the Secretary of State, who is authorized to prescribe limitations of use of such plates. Extra registration plates shall be furnished to replace lost or mutilated plates for \$5 each.