

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

FIRST REGULAR SESSION
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TITLE 3, SECTION 163-A, SUBSECTION 4

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Augusta, Maine
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CHAPTER 243

H.P. 884 - L.D. 1237

An Act to Ensure Public Review and Legislative Oversight of Proposals Regarding the Introduction or Reintroduction of Threatened or Endangered Species

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

Sec. 1. 12 MRSA §7754, sub-§1, as enacted by PL 1979, c. 420, §1, is amended to read:

1. Conservation of nongame and endangered species. The commissioner may establish such programs as are necessary to bring any endangered or threatened species to the point where it is no longer endangered or threatened, including:

- A. Acquisition of land or aquatic habitat or interests ~~therein~~ in land or aquatic habitat;
- B. Propagation;
- C. Live trapping;
- D. Transplantation. Prior to the transplantation, introduction or reintroduction of an endangered or threatened species in the State, the commissioner shall, in conjunction with the Atlantic Sea Run Salmon Commission, when appropriate, develop a recovery plan for that species, conduct a public hearing on that recovery plan pursuant to Title 5, Part 18 and submit that plan to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters. The introduction or reintroduction of that species must be conducted in accordance with the recovery plan developed under this paragraph and may not begin sooner than 90 days after all conditions of this paragraph have been met; and
- E. In the extraordinary case where population pressures within a given group ecosystem ~~cannot~~ can not be otherwise relieved, regulated taking.

See title page for effective date.

CHAPTER 244

H.P. 966 - L.D. 1375

An Act to Repeal the Law Regarding Access to Property via Abandoned Roads

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

Sec. 1. 14 MRSA §6663, as enacted by PL 1993, c. 677, §1, is repealed.

See title page for effective date.

CHAPTER 245

S.P. 390 - L.D. 1067

An Act to Require That a Vacancy in a County Office Be Filled by an Appointee from the Same Political Party

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

Sec. 1. 4 MRSA §301, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

§301. Terms; vacancies; salary

Judges of probate are elected or appointed as provided in the Constitution of Maine. Only attorneys at law admitted to the general practice of law in this State and resident ~~therein~~ in this State may be elected or appointed as judges of probate. Their election is effected and determined as is provided respecting county commissioners; and they enter upon the discharge of their duties on the first day of January following their election; but, when appointed to fill vacancies, their terms commence on their appointment. Vacancies must be filled as provided in the Constitution of Maine. In the case of a vacancy in the term of a judge of probate who was nominated by primary election before the general election, the judge of probate appointed by the Governor to fill the vacancy until a successor is chosen at election must be enrolled in the same political party as the judge of probate whose term is vacant. In making the appointment, the Governor shall choose from any recommendations submitted to the Governor by the county committee of the political party from which the appointment is to be made.

Judges of probate in the several counties ~~shall~~ are entitled to receive annual salaries as set forth in Title 30-A, section 2.

The fees to which judges of probate are entitled by law ~~shall~~ must be taxed and collected and paid over by the registers of probate to the county treasurers by the 15th day of every month following the month in which they were collected for the use of their counties with the exception of the fees provided in section 304, which ~~shall~~ must be retained by the judge who collects