

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

SECOND SPECIAL SESSION
September 5, 1996 to September 7, 1996

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 4, 1996 to March 27, 1997

FIRST SPECIAL SESSION
March 27, 1997 to June 20, 1997

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 26, 1997

FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 1997

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

J.S. McCarthy Company
Augusta, Maine
1997

Phineas Wright, now owned by this Grantor, lots; thence 42.7 rods at right angles southwesterly along the Field line to the point of beginning; containing three (3) acres more or less. A certain lot or parcel of land situated in said Lewiston, bounded and described as follows: Beginning at an iron stake set in the ground in a stone wall on the northeasterly line of land of said Stanton Bird Club, said stake being one hundred fifty (150) feet from the northwesterly corner of land of Raymond R. Field; thence northwesterly along the northeasterly line of land of said Stanton Bird Club one hundred twenty-five (125) feet to an iron stake set in the ground; thence at right angles northeasterly three hundred (300) feet to an iron stake set in the ground; thence at right angles northwesterly twenty-five (25) feet to an iron stake set in the ground; thence at right angles northeasterly three hundred seventeen (317) feet, more or less, to a stake set in the ground on the southeasterly line of land of the Stanton Bird Club one hundred fifty (150) feet to an iron stake set in the ground on the northwesterly line of land of said Stanton Bird Club; thence southwesterly along the northwesterly line of land of said Stanton Bird Club to the point of beginning; containing two (2) acres, more or less. A certain lot or parcel of land situated in Lewiston, bounded and described as follows: Beginning at a point on the southeasterly line of the original Stanton Bird Club Sanctuary, three hundred sixty-four (364) feet northeasterly from the northeasterly line of Montello Street; thence in a northeasterly direction by land now or formerly of the Stanton Bird Club, three hundred and sixty-eight (368) feet; thence in a southeasterly direction, parallel with the said northeasterly line of Montello Street, two hundred and forty (240) feet; thence in a southwesterly direction parallel with the first described line, three hundred sixty-eight (368) feet; thence in a northwesterly direction parallel with the said northeasterly line of Montello Street, two hundred forty (240) feet to the point of beginning, containing two (2) acres more or less. A certain lot or parcel of land situated in said Lewiston, it being the southwest end of Lot #13 bounded southeasterly on Lot #33 and southwesterly and northwesterly on a four (4) rod way as laid down on the plan of said township of said Lewiston. Containing fifty (50) acres, more or less, and being the homestead farm of the late Elizabeth S. Wood, deceased, and the premises being the same conveyed to her by the name of Elizabeth S. Haley by Dorcas G. Wright by deed dated April 12, 1866, and recorded in the Androscoggin County Registry of Deeds in Book 43, Page 114. A certain lot or parcel of land situated in said Lewiston, bounded and described as follows, viz: Commencing at a point on the westerly line of land now or formerly of H. Osmond Wood and Mabel V. Wood (formerly Dorcas Wright) where the northerly line of land of A. W. Anthony (formerly of Ephriam Wood) intersects said H. Osmond and Mabel V. Wood's west line; thence northerly nine hundred ninety-nine (999') feet on said

H. Osmond and Mabel V. Wood's westerly line to land now or formerly of Charles W. Benson (formerly of O. K. Douglass); thence at right angles westerly one thousand two hundred twenty (1220') feet on said Benson's southerly line to a point in a rock wall; thence southeasterly on line of land now or formerly of George H. McGibbon and Mathilda G. McGibbon, one thousand two hundred thirty (1,230') feet to a point in the rock wall on the northerly line of said Anthony's land, one thousand nine hundred forty-six (1,946') feet from the point of commencement; thence easterly along the northerly line of land of said Anthony, one thousand nine hundred forty-six (1,946') feet to the point of beginning. Deacon Davis Bird Refuge: The following described territory: A certain parcel of land situated in the city of Lewiston, in the county of Androscoggin, and bounded as follows: The most northerly corner of land of the estate of George K. Davis, bounded and described as follows, to wit: On the northwest by land of the so-called Ham Farm; on the northeast by Pleasant Street; on the southwest by land of Joseph Breault; and on the southeast by a line extending northeasterly from the easterly corner of said Breault's land, and being a continuation of the southeast boundary of said Breault's land, containing 2 acres, more or less. Woodbury Sanctuary: The following described territory: A certain parcel of land situated in the towns of Litchfield and Monmouth in the county of Kennebec and bounded as follows: The westerly side of Whippoorwill Road, so called. Being all the land conveyed to the Stanton Bird Club by Louise S. Drew and Clara B. Dana by deed dated July 2, 1929 and recorded in Kennebec County Registry of Deeds in Book 669-Page 210.

See title page for effective date.

CHAPTER 289

H.P. 79 - L.D. 104

An Act Concerning Threatening the Use of Deadly Force Against a Law Enforcement Officer Engaged in Carrying out Public Duty

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

Sec. 1. 17-A MRSA §110 is enacted to read:

§110. Threat to use deadly force against a law enforcement officer

A person otherwise justified in threatening to use deadly force against another is not justified in doing so with the use of a firearm or other dangerous weapon if the person knows or should know that the other person

is a law enforcement officer, unless the person knows that the law enforcement officer is not in fact engaged in the performance of the law enforcement officer's public duty, or unless the person is justified under this chapter in using deadly force against the law enforcement officer. A law enforcement officer may not make a nonconsensual warrantless entry into a dwelling place solely in response to a threat not justified under this section.

See title page for effective date.

CHAPTER 290

H.P. 598 - L.D. 789

An Act to List Specific Threatened and Endangered Species

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

Sec. 1. 12 MRSA §7753, sub-§3, as amended by PL 1995, c. 667, Pt. A, §33, is further amended to read:

3. Legislative authority. The Legislature, as sole authority, shall designate a species as state endangered or state threatened species. The list of state endangered or state threatened species is as follows:

Common Name	Scientific Name	Status
Least Tern	<i>Sterna albifrons</i>	Endangered
Golden Eagle	<i>Aquila chrysaetos</i>	Endangered
Piping Plover	<i>Charadrius melodus</i>	Endangered
Sedge Wren	<i>Cistothorus platensis</i>	Endangered
Grasshopper Sparrow	<i>Ammodramus savannarum</i>	Endangered
Box Turtle	<i>Terrapene carolina</i>	Endangered
Black Racer	<i>Coluber constrictor</i>	Endangered
Roseate Tern	<i>Sterna dougallii</i>	Threatened Endangered
Northern Bog Lemming	<i>Synaptomys borealis</i>	Threatened
Loggerhead Turtle	<i>Caretta caretta</i>	Threatened
Blanding's Turtle	<i>Emydoidea blandingii</i>	Threatened Endangered
Black Tern	<i>Chlidonias niger</i>	Endangered
American Pipit	<i>Anthus rubescens</i>	Endangered
Peregrine Falcon	<i>Falco peregrinus</i>	Endangered
Flat-headed Mayfly	<i>Epeorus frisoni</i>	Endangered
Ringed		

Boghaunter	<i>Williamsonia lintneri</i>	Endangered
Clayton's Copper	<i>Lycaena dorcas claytoni</i>	Endangered
Edwards' Hairstreak	<i>Satyrrium edwardsii</i>	Endangered
Hessel's Hairstreak	<i>Mitoura hesseli</i>	Endangered
Katahdin Arctic	<i>Oenis polixenes katahdin</i>	Endangered
Spotted Turtle	<i>Clemmys guttata</i>	Threatened
Bald Eagle	<i>Haliaeetus leucocephalus</i>	Threatened
Razorbill	<i>Alca torda</i>	Threatened
Atlantic Puffin	<i>Fratercula arctica</i>	Threatened
Harlequin Duck	<i>Histrionicus histrionicus</i>	Threatened
Arctic Tern	<i>Sterna paradisaea</i>	Threatened
Upland Sandpiper	<i>Bartramia longicauda</i>	Threatened
Swamp Darter	<i>Etheostoma fusiforme</i>	Threatened
Tidewater Mucket	<i>Leptodea ochracea</i>	Threatened
Yellow Lampmussel	<i>Lampsilis cariosa</i>	Threatened
Tomah Mayfly	<i>Siphonisca aerodromia</i>	Threatened
Pygmy Snaketail	<i>Ophiogomphus howei</i>	Threatened
Twilight Moth	<i>Lycia rachelae</i>	Threatened
Pine Barrens Zanclognatha	<i>Zanclognatha martha</i>	Threatened

Sec. 2. 12 MRSA §7754, sub-§4 is enacted to read:

4. Annual report. The commissioner shall submit a written report by January 1st of each year to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters describing the status of all current and planned programs, activities and rules of the department pertaining to the conservation or management of endangered or threatened species. When appropriate, this report may be combined with any transplantation report required under subsection 1, paragraph D.

See title page for effective date.

CHAPTER 291

H.P. 712 - L.D. 976

An Act to Amend the Enhanced 9-1-1 Laws