

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

SECOND REGULAR SESSION
January 5, 2000 to May 12, 2000

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 11, 2000

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
2000

PART G

CHAPTER 688

Sec. G-1. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act.

S.P. 1060 - L.D. 2654

An Act to Amend the Laws Regarding the Board of Licensure of Water Treatment Plant Operators

2000-01

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

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF

Licensing and Enforcement

Positions - Legislative Count	(2,000)
Personal Services	\$88,785
All Other	9,500
TOTAL	\$98,285

Provides for the allocation of funds for one Health Board Investigator position and one Manufactured Housing Board Inspector position, related operational costs and funds to standardize the per diem compensation rate for certain boards.

Sec. 1. 22 MRSA §2601, sub-§5, as enacted by PL 1975, c. 751, §4, is amended to read:

5. Operator. "Operator" means ~~the individual who has direct management responsibility for the routine supervision and operation of a public water system or of a water treatment plant or collection, treatment, storage or distribution facility or structure that is a part of a system~~ an individual either employed or retained by a public water system who, as part of the individual's job duties, is assigned the responsibilities for operational activities that will have a direct impact on the quality or quantity of water provided to consumers. ~~Shift operators or other employees under the supervision of the operator in the performance of their duties are not operators.~~

Sec. 2. 22 MRSA §2621, sub-§1-A is enacted to read:

1-A. Board. "Board" means the Board of Licensure of Water Treatment Plant Operators.

Sec. 3. 22 MRSA §2622, first ¶, as amended by PL 1997, c. 705, §11, is further amended to read:

The board, with the advice of the department, shall classify all community public water systems, all noncommunity nontransient water systems and the water treatment plants or collection, treatment or storage facilities or structures that are part of a system with due regard to the size and type of facilities, the character of water to be treated and any other physical conditions affecting such system or part thereof and specify the qualifications the operator of the system or of a part of a system must have to supervise successfully the operation of the system or parts thereof so as to protect the public health or prevent nuisance conditions.

Sec. 4. 22 MRSA §2624-A, sub-§1, as enacted by PL 1995, c. 442, §2, is amended to read:

1. Membership; general qualifications. The board consists of ~~7~~ 9 members appointed by the Governor as follows: 3 water system or water treatment plant operators, one holding a Class II license, one holding a Class III license and one holding a Class IV license; one member of the public who is a registered professional engineer; one person

Board of Optometry

Personal Services	\$600
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Provides for the allocation of funds to standardize the per diem compensation rate for the State Board of Optometry.

Board of Registration for Professional Engineers

Personal Services	\$1,470
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Provides for the allocation of funds to standardize the per diem compensation rate for the State Board of Registration for Professional Engineers.

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

TOTAL	\$100,355
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See title page for effective date.

who is an educator in the field of water supply or service; one person who is a water utility management representative; one person who represents consumers of public water systems; one person who is an owner or manager of a noncommunity nontransient public water system; and one person from the department, as the commissioner may recommend, subject to appointment by the Governor.

Sec. 5. 22 MRSA §2625, 2nd ¶, as amended by PL 1985, c. 748, §27, is further amended to read:

The ~~commissioner board~~ may ~~file a complaint with the Administrative Court to suspend or revoke a license of an~~ certified operator when he determines it is determined that the operator has practiced fraud or deception; that ~~he~~ the operator has been negligent in that reasonable care, judgment or the application of ~~his~~ his knowledge or ability was not used in the performance of ~~his~~ the operator's duties; or that the operator is incompetent or unable to perform ~~his~~ the operator's duties properly.

Sec. 6. 22 MRSA §2627, as amended by PL 1983, c. 819, Pt. A, §55, is repealed.

Sec. 7. 22 MRSA §2630, as amended by PL 1995, c. 442, §8, is further amended to read:

§2630. Licensure

If a supplier of water loses its licensed operator, it shall secure a new licensed operator or enter into a contractual agreement with a licensed operator of proper classification until a new operator has been employed for the supplier of water.

~~The Board of Licensure of Water Treatment Plant Operators may, in the event of extenuating circumstances, issue a waiver of the licensure requirements for a period not exceeding 13 months. In granting the waiver, the board may impose such terms, conditions or requirements as, in its judgment, are necessary to protect the public health and interest.~~

~~Holders of a water treatment plant operator's certificate valid as of June 30, 1984, shall be deemed to hold a license expiring on the same day as the certificate.~~

See title page for effective date.

CHAPTER 689

S.P. 965 - L.D. 2514

An Act to Establish the Maine Coordinate System of 2000

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

Sec. 1. 33 MRSA §§801 to 803, as repealed and replaced by PL 1981, c. 156, are amended to read:

§801. Definition

The systems of plan coordinates ~~which that~~ have been established by the National Ocean Survey and the National Geodetic Survey or its successors for defining and stating the geographic positions of locations of points on the surface of the earth within the State are hereafter to be known and designated as the Maine Coordinate System of 1927 ~~and~~ the Maine Coordinate System of 1983 and the Maine Coordinate System of 2000.

For the purpose of the use of these systems the State is divided into ~~an "East Zone" and a "West Zone."~~ a "West Zone," a "Central Zone" and an "East Zone" as follows.

~~The area now included in the following counties shall constitute the East Zone: Aroostook, Hancock, Knox, Penobscot, Piscataquis, Waldo and Washington.~~

~~The area now included in the following counties shall constitute the West Zone: Androscoggin, Cumberland, Franklin, Kennebec, Lincoln, Oxford, Sagadahoc, Somerset and York.~~

1. West Zone. The West Zone is the area bounded by the following: Beginning at the point determined by the intersection of the Maine State line and the County Line between Aroostook and Somerset Counties, thence following the Somerset County line Easterly to the Northwest corner of the Somerset and Piscataquis county line, thence Southerly along this county line to the northeast corner of the Athens town line, thence westerly along the town line between Brighton Plantation and Athens to the westerly corner of Athens, and continuing southerly to the southwest corner of the town of Athens where it meets the Cornville town line, thence westerly along the Cornville - Solon town line to the intersection of the Cornville - Madison town line, thence southerly and westerly following the Madison town line to the intersection of the Norridgewock - Skowhegan town line, thence southerly along the Skowhegan town line to the Fairfield town line, thence easterly along the Fairfield town line to the Clinton town line (being determined by the Kennebec River), thence southerly along the Kennebec River to the Augusta city line, thence easterly along the city line to the Windsor town line, thence southerly along the Augusta - Windsor town line to the northwest corner of the Lincoln County line, thence southerly along the westerly Lincoln county line to the boundary of the State of Maine as determined by Maritime law, thence