

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

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SECOND REGULAR SESSION
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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

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 A, §55, is repealed.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

following the State boundary on the westerly side of the state to the point of beginning.

2. Central Zone. The Central 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 northeasterly along the state line to the intersection of the Fort Kent - Frenchville town line, thence southerly along this town line to the intersection with the New Canada Plantation - T17 R5 WELS town line, thence continuing southerly along town lines to the northeast corner of Penobscot County, thence continuing southerly along the Penobscot County line to the intersection of the Woodville - Mattawamkeag town line (being determined by the Penobscot River), thence along the Penobscot River to the Enfield - Lincoln town line, thence southeasterly along the Enfield - Lincoln town line and the Enfield - Lowell town line to the Passadumkeag - Edinburg town line, thence south-southeasterly along town lines to the intersection of the Hancock County line, thence southerly along the county line to the intersection of the Otis - Mariaville town line, thence southerly along the Otis - Mariaville town line to the Ellsworth city line, thence southerly along the Ellsworth city line to the intersection of the Surry - Trenton town line, thence southerly along the easterly town lines of Surry, Blue Hill, Brooklin, Deer Isle, and Stonington to the Knox County line, thence following the Knox County line to the boundary of the State of Maine as determined by Maritime law, thence following the State boundary westerly to the intersection of the Sagadahoc - Lincoln county line, thence northerly along the easterly boundary of the Maine 2000 West Zone, as defined, to the point of beginning.

3. East Zone. The East Zone is the area bounded by the following: Beginning at the point determined by the intersection of the Maine State line and the Fort Kent - Frenchville town line, thence continuing easterly and then southerly along the state line to the boundary of the State of Maine as determined by Maritime law, thence following the State boundary westerly to the intersection of the Knox and Hancock County line, thence northerly along the easterly boundary of the Maine 2000 Central Zone, as defined, to the point of beginning.

§802. East, Central and West Zones

As established for use in the East Zone, the Maine Coordinate System of 1927 ~~or~~, the Maine Coordinate System of 1983 ~~shall~~ or the Maine Coordinate System of 2000 must be named, and in any land description in which it is used, it ~~shall~~ must be designated the "Maine Coordinate System of 1927 East Zone," ~~or~~ "Maine Coordinate System of 1983 East Zone" or "Maine Coordinate System of 2000 East Zone."

As established for use in the Central Zone, the Maine Coordinate System of 2000 must be named and, in any land description in which it is used, it must be designated the "Maine Coordinate System of 2000 Central Zone."

As established for use in the West Zone, the Maine Coordinate System of 1927 ~~or~~, the Maine Coordinate System of 1983 ~~shall~~ or the Maine Coordinate System of 2000 must be named; and, in any land description in which it is used, it ~~shall~~ must be designated the "Maine Coordinate System of 1927 West Zone," ~~or~~ "Maine Coordinate System of 1983 West Zone" or "Maine Coordinate System of 2000 West Zone."

§803. Plane coordinates of a point

The plane coordinate values for a point on the earth's surface, used to express the geographic position or location of such point in the appropriate zone of this system, ~~shall~~ must consist of 2 distances in expressed United States Survey feet and decimals of a foot when using the Maine Coordinate System of 1927 and expressed in meters and decimals of a meter when using the Maine Coordinate System of 1983 or the Maine Coordinate System of 2000. One of these distances, to be known as the "x-coordinate," ~~shall give~~ or "Easting Coordinate," gives the position in an east-and-west direction; the other, to be known as the "y-coordinate," ~~shall give~~ or "Northing Coordinate," gives the position in a north-and-south direction. These coordinates ~~shall~~ must be made to depend upon and conform to plane rectangular coordinate values for the monumented points of the North American Horizontal Geodetic Control Network as published by the National Ocean Survey and the National Geodetic Survey, or its successors, and whose plane coordinates have been computed on the systems defined in this chapter. Any such station may be used for establishing a survey connection to ~~either~~ any of the Maine Coordinate ~~System~~ Systems.

Sec. 2. 33 MRSA §803-A, 2nd ¶, as enacted by PL 1981, c. 156, is amended to read:

Nothing contained in this chapter ~~shall require~~ requires a purchaser or mortgagee of real property to rely wholly on a land description, any part of which depends exclusively upon ~~either~~ any of the Maine Coordinate ~~System~~ Systems.

Sec. 3. 33 MRSA §804, as repealed and replaced by PL 1981, c. 156, is amended to read:

§804. Land extending from one zone to another

When any tract of land to be defined by a single description extends from one into ~~the other~~ another of the above coordinate zones, the positions of all points on its boundaries may be referred to ~~either~~ any of the 2

zones crossed, the zone ~~which~~ that is used being specifically named in the description.

Sec. 4. 33 MRSA §805, sub-§3 is enacted to read:

3. Maine Coordinate System of 2000. The Maine Coordinate System of 2000 is defined in accordance with the following:

A. The "Maine Coordinate System of 2000 West Zone" is a transverse Mercator projection of the North American Datum of 1983 (NAD83), as referenced to the most recent National Spatial Reference System as published by the National Geodetic Survey, having a central meridian 70° 22' 30" west of Greenwich on which meridian the scale is set one part in 50,000 too small. The origin of coordinates is at the intersection of the meridian 70° 22' 30" west of Greenwich and the parallel 42° 50' 00" north latitude. This origin is given the coordinates: Easting =x = 300,000 meters and Northing =y = 0 meters;

B. The "Maine Coordinate System of 2000 Central Zone" is a transverse Mercator projection of the North American Datum of 1983 (NAD83), as referenced to the most recent National Spatial Reference System as published by the National Geodetic Survey, having a central meridian 69° 07' 30" west of Greenwich on which meridian the scale is set one part in 50,000 too small. The origin of coordinates is at the intersection of the meridian 69° 07' 30" west of Greenwich and the parallel 43° 30' 00" north latitude. This origin is given the coordinates: Easting =x = 500,000 meters and Northing =y = 0 meters; and

C. The "Maine Coordinate System of 2000 East Zone" is a transverse Mercator projection of the North American Datum of 1983 (NAD83), as referenced to the most recent National Spatial Reference System as published by the National Geodetic Survey, having a central meridian 67° 52' 30" west of Greenwich on which meridian the scale is set one part in 50,000 too small. The origin of coordinates is at the intersection of the meridian 67° 52' 30" west of Greenwich and the parallel 43° 50' 00" north latitude. This origin is given the coordinates: Easting =x = 700,000 meters and Northing =y = 0 meters.

Sec. 5. 33 MRSA §807, as repealed and replaced by PL 1981, c. 156, is amended to read:

§807. Use of terms

The use of the "Maine Coordinate System of 1927 East Zone," "Maine Coordinate System of 1983 East Zone," "Maine Coordinate System of 1927 West Zone," or "Maine Coordinate System of 1983 West

Zone," "Maine Coordinate System of 2000 West Zone," "Maine Coordinate System of 2000 Central Zone" or "Maine Coordinate System of 2000 East Zone" on any map, report of survey, or other document ~~shall be~~ is limited to coordinates based on the Maine Coordinate ~~System~~ Systems as defined in this chapter.

Sec. 6. 33 MRSA §807-A, as enacted by PL 1981, c. 156, is repealed and the following enacted in its place:

§807-A. Effective date

The Maine Coordinate System of 2000 is the sole system of plan coordinates for work beginning after December 31, 2000 that is provided to or by state or federal governmental agencies.

Sec. 7. Effective date. This Act takes effect on December 31, 2000.

Effective December 31, 2000.

CHAPTER 690

H.P. 1924 - L.D. 2670

An Act Regarding Lifetime Hunting and Fishing Licenses

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Legislature wishes to extend the opportunity to purchase lifetime hunting and fishing licenses to persons from 6 to 15 years of age; and

Whereas, those licenses will be available by January 1, 2001; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 12 MRSA §7161, sub-§1, as enacted by PL 1997, c. 679, §1, is amended to read:

1. Infants and seniors. The following resident lifetime licenses may be purchased ~~on and after~~ January 1, 2000:

A. For a resident who is less than 6 years of age: