

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

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:

(1) A An infant resident lifetime ~~infant~~ fishing license. The fee for a an infant resident lifetime ~~infant~~ fishing license is \$150;

(2) A An infant resident lifetime ~~infant~~ hunting license. The fee for a an infant resident lifetime ~~infant~~ hunting license is \$150; and

(3) A An infant resident combination lifetime ~~infant~~ fishing and hunting license. The fee for a an infant resident combination lifetime ~~infant~~ fishing and hunting license is \$250; and

B. For a resident who is 65 years of age or older:

~~(1) A resident lifetime senior fishing license. The fee for a resident lifetime senior fishing license is \$50;~~

~~(2) A resident lifetime senior hunting license. The fee for a resident lifetime senior hunting license is \$50; and~~

~~(3) A resident combination lifetime senior fishing and hunting license. The fee for a resident combination lifetime senior fishing and hunting license is \$80.~~

C. For a resident from 6 to 15 years of age:

(1) A junior resident lifetime fishing license. The fee for a junior resident lifetime fishing license is \$300;

(2) A junior resident lifetime hunting license. The fee for a junior resident lifetime hunting license is \$300; and

(3) A junior resident lifetime combination fishing and hunting license. The fee for a junior resident lifetime combination fishing and hunting license is \$500.

A license under this paragraph may only be purchased on or after January 1, 2001; and

D. For a resident from 65 to 69 years of age:

(1) A senior resident lifetime fishing license. The fee for a senior resident lifetime fishing license is \$50 for a person who purchases the license in the year in which that person turns 65 years of age, \$40 for a person who purchases the license in the year in which that person turns 66 years of age, \$30 for a person who purchases the license in the year in which that person turns 67 years of age, \$20 for a person who purchases the license in the year in which that person turns 68 years of age and \$10 for a person

who purchases the license in the year in which that person turns 69 years of age;

(2) A senior resident lifetime hunting license. The fee for a senior resident lifetime hunting license is \$50 for a person who purchases the license in the year in which that person turns 65 years of age, \$40 for a person who purchases the license in the year in which that person turns 66 years of age, \$30 for a person who purchases the license in the year in which that person turns 67 years of age, \$20 for a person who purchases the license in the year in which that person turns 68 years of age and \$10 for a person who purchases the license in the year in which that person turns 69 years of age; and

(3) A senior resident combination lifetime fishing and hunting license. The fee for a senior resident combination lifetime fishing and hunting license is \$80 for a person who purchases the license in the year in which that person turns 65 years of age, \$64 for a person who purchases the license in the year in which that person turns 66 years of age, \$48 for a person who purchases the license in the year in which that person turns 67 years of age, \$32 for a person who purchases the license in the year in which that person turns 68 years of age and \$16 for a person who purchases the license in the year in which that person turns 69 years of age.

A person who is 70 years of age or older is entitled to receive a complimentary lifetime license under section 7076, subsection 1.

Sec. 2. Adult lifetime hunting and fishing licenses. Adult resident lifetime hunting and fishing licenses and adult resident combination hunting and fishing licenses must be available on and after January 1, 2006 to residents from 16 to 64 years of age. In January of 2005, the Department of Inland Fisheries and Wildlife shall submit its recommendations on the fees for such licenses to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters. Those recommendations may include different fees for different adult age groups and must include recommendations on fees for an optional adult supersport lifetime hunting and fishing license for each recommended age group. The joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters may report out a bill to the First Regular Session of the 122nd Legislature to implement a fee structure for adult lifetime hunting and fishing licenses.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective April 13, 2000.

CHAPTER 691

H.P. 852 - L.D. 1209

An Act Regarding Water Quality Testing for Property Abutting a Special Waste Landfill

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

Sec. 1. 38 MRSA §1310-N, sub-§10 is enacted to read:

10. Water supply testing. Upon written request to the department from the owner of property abutting a commercial solid waste disposal facility that accepts special waste for landfilling, the department shall require the facility licensee to have conducted biannual sampling and analysis of a private water supply well used by the requestor for drinking water. This subsection applies only if the requestor owned and resided and the private water supply well existed on that property prior to the time the property became an abutting property. For purposes of this subsection, "abutting" means both contiguous to the property on which the facility is located, including directly across a public or private right-of-way, and within one mile of the location of the facility.

A. Sampling and analysis must be conducted by a certified laboratory selected by the property owner in a manner specified by, and that meets criteria developed by, the department. The criteria must allow for split samples to be taken by the laboratory selected by the property owner and by a laboratory selected by the licensee.

B. The water supply must be analyzed for all parameters or chemical constituents determined by the department to be appropriate and consistent with department rules regarding solid waste management. The laboratory performing the sampling and analysis shall provide written copies of sample results to the licensee, the landowner and the commissioner.

C. If the analysis indicates possible contamination from the facility, the commissioner shall require the licensee to conduct additional sampling and analysis in conformance with department rules regarding solid waste management to determine more precisely the nature, extent and source of contamination. The commissioner

shall, if necessary, require this sampling beyond the boundaries of the property abutting the facility.

D. If a facility adversely affects a public or private water supply by contamination, pollution, degradation, diminution or other means that result in a violation of the state drinking water standards as determined by the commissioner, the licensee shall restore the affected supply at no cost to the consumer or replace the affected supply with an alternative source of water that is of like quantity and quality to the original supply at no cost to the consumer.

E. The licensee shall provide owners of property abutting the facility with written notice of their rights under this subsection on a form prepared by the commissioner as follows:

(1) On or before December 1, 2000, for a commercial solid waste disposal facility that accepts special waste for landfilling licensed under this chapter prior to October 1, 2000; and

(2) At or before the time of license issuance for a commercial solid waste disposal facility that accepts special waste for landfilling licensed under this chapter on or after October 1, 2000.

This subsection applies to a new, expanded or existing commercial solid waste disposal facility that accepts special waste for landfilling. When licensing any such facility, the department shall incorporate the provisions of this subsection into the license. The provisions of this subsection apply only to a commercial solid waste disposal facility that accepts special waste for landfilling.

See title page for effective date.

CHAPTER 692

H.P. 1873 - L.D. 2610

An Act to Require Warranty Certification for Snowmobiles and All-terrain Vehicles

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

Sec. 1. 12 MRSA §7824, sub-§10, ¶D is enacted to read:

D. Prior to issuing a registration certificate for a new snowmobile, a snowmobile registration agent shall require that the registrant produce