

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND TWENTIETH LEGISLATURE**  
**FIRST REGULAR SESSION**  
**December 6, 2000 to June 22, 2001**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 21, 2001**

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

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**2001**

**Sec. 2.** 38 MRSA §480-Q, sub-§22 is enacted to read:

**22. Archaeological excavation.** Archaeological excavation adjacent to a great pond, freshwater wetland, coastal wetland, sand dune system, river, stream or brook as long as the excavation is conducted by an archaeologist listed on the Maine Historic Preservation Commission level 1 or level 2 approved list and unreasonable erosion and sedimentation is prevented by means of adequate and timely temporary and permanent stabilization measures.

**Sec. 3. Maine Land Use Regulation Commission; rules.** The Maine Land Use Regulation Commission shall adopt rules exempting archaeological excavations that are within its jurisdiction and adjacent to a great pond, freshwater wetland, coastal wetland, sand dune system, river, stream or brook from its permitting requirements as long as the excavation is conducted by an archaeologist listed on the Maine Historic Preservation Commission level 1 or level 2 approved list and unreasonable erosion and sedimentation is prevented by means of adequate and timely temporary and permanent stabilization measures. Rules adopted under this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A.

See title page for effective date.

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## CHAPTER 208

S.P. 303 - L.D. 1050

### An Act to Allow Victims of Crimes More Access to Inmate Records

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

**Sec. 1.** 34-A MRSA §3003, sub-§1-B is enacted to read:

**1-B. Release of certain information to victims.** Notwithstanding subsection 1, upon the request of a person who was the victim of a crime, as verified by the department or the prosecuting attorney, for which a client was incarcerated, the department shall disclose the following information to the victim:

A. Whether the client has been charged with committing any crime while incarcerated and, if so, the crime with which the client has been charged; and

B. Whether the client has been disciplined while incarcerated and, if so, the offense for which the

disciplinary action was taken and the type of disciplinary action taken.

See title page for effective date.

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## CHAPTER 209

S.P. 301 - L.D. 1012

### An Act to Safeguard Production of Groundwater

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

**Whereas,** this legislation needs to take effect before the expiration of the 90-day period in order to govern the spring construction season; 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:**

## PART A

**Sec. A-1.** 5 MRSA §12004-G, sub-§13-B, as enacted by PL 1991, c. 455, Pt. A, §1, is amended to read:

<b>13-B.</b>	Maine	\$50 Per	32
Environment/ Health Engineering	Water Well <del>Drilling</del> Commission	Meeting Plus Expenses	MRSA §4700-G

**Sec. A-2.** 22 MRSA c. 270-C is amended by repealing the chapter headnote and enacting the following in its place:

## CHAPTER 270-C

### MAINE WATER WELL PROGRAM

**Sec. A-3.** 22 MRSA §§1689 and 1689-A, as enacted by PL 1991, c. 455, Pt. A, §2, are amended to read:

#### §1689. Program established

The Maine Water Well ~~Drilling~~ Program, known in this chapter as "the program," is established to provide the public with the highest quality drinking water possible by ensuring that water wells are drilled, constructed, altered or abandoned in a manner that