

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

FIRST REGULAR SESSION
December 6, 2006 to June 21, 2007

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 20, 2007

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IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Penmor Lithographers
Lewiston, Maine
2007

- D. Emerald shiner, (*Notropis atherinoides*);
- E. Bridle shiner, (*Notropis bifrenatus*);
- F. Common shiner, (*Luxilus cornutus*);
- G. Blacknose shiner, (*Notropis heterolepis*);
- H. Spottail shiner, (*Notropis hudsonius*);
- I. Northern redbelly dace, (*Phoxinus eos*);
- J. Finescale dace, (*Phoxinus neogaeus*);
- K. Fathead minnow, (*Pimephales promelas*);
- L. Blacknose dace, (*Rhinichthys atratulus*);
- M. Longnose dace, (*Rhinichthys cataractae*);
- N. Creek chub, (*Semotilus atromaculatus*);
- O. Fallfish, (*Semotilus corporalis*);
- P. Pearl dace, (*Margariscus margarita*);
- Q. Banded killifish, (*Fundulus diaphanus*);
- R. Mummichog, (*Fundulus heteroclitus*);
- S. Longnose sucker, (*Catostomus catostomus*);
- T. White sucker, (*Catostomus commersoni*);
- U. Creek chubsucker, (*Erimyzon oblongus*); and
- V. American eel, (*Anquilla rostrata*); and
- ~~W. Blackchin shiner, (*Notropis heterodon*).~~

See title page for effective date.

CHAPTER 160

H.P. 789 - L.D. 1071

An Act Regarding Energy-generating Facilities

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

Sec. 1. 38 MRSA §632, sub-§3, as enacted by PL 1983, c. 458, §18, is amended to read:

3. Hydropower project. "Hydropower project" means any development ~~which that~~ utilizes the flow or other movement of water, including tidal or wave action, as a source of electrical or mechanical power or ~~which that~~ regulates the flow of water for the purpose of generating electrical or mechanical power. A hydropower project development includes all powerhouses, dams, water conduits, turbines or other in-stream power devices, generators, transmission lines, water impoundments, roads and other appurtenant works and structures that are part of the development.

Sec. 2. 38 MRSA §633, sub-§1, as affected by PL 1989, c. 890, Pt. A, §40 and amended by Pt. B, §182, is further amended to read:

1. Permit required. ~~No~~ A person may not initiate construction or reconstruction of a hydropower project, or structurally alter a hydropower project in ways that change water levels or flows ~~above or below the dam~~, without first obtaining a permit from the department.

See title page for effective date.

CHAPTER 161

S.P. 57 - L.D. 175

An Act To Fund Youth Conservation Education

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

Whereas, youth conservation education is critical to the future of Maine's natural resources; and

Whereas, a significant portion of funding for youth conservation education programs comes from the auction of moose hunting permits and the demand for these programs has far exceeded the revenues generated by the current auction of 5 permits; and

Whereas, this Act needs to take effect immediately to allow the Commissioner of Inland Fisheries and Wildlife to add to the 2007 moose hunting permit auction an additional 5 permits to more adequately meet the needs of those who wish to attend the youth conservation education programs this year; 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 §11154, sub-§11, as affected by PL 2003, c. 614, §9 and amended by c. 655, Pt. B, §§128 and 129 and affected by §422, is further amended to read:

11. Auction of moose hunting permits to fund youth conservation education programs. Notwithstanding subsection 1, the commissioner may issue not more than 5 10 moose hunting permits each year through public auction in accordance with this subsection.

A. Each moose hunting permit issued under this subsection must be awarded through public auction to the applicant who submits the highest bid.