

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2008 to June 13, 2009

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 12, 2009

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

Augusta, Maine
2009

suant to ~~section 82, subsection 8~~ Title 4, section 955-C, subsection 3.

Sec. 6. 5 MRSA §82-B, sub-§3, ¶B, as enacted by PL 2007, c. 285, §2, is repealed.

Sec. 7. 5 MRSA §82-B, sub-§7, as enacted by PL 2007, c. 285, §2, is amended to read:

7. Review of complaints. The board shall review complaints against notaries public made pursuant to ~~section 82, subsection 8~~ Title 4, section 955-C, subsection 3 and make recommendations to the Secretary of State on the appropriate disposition of such complaints. The board may hold a hearing as part of its review to determine whether grounds exist for denial of commission, suspension of commission, revocation of commission or renewal of commission or other action necessary to the fulfillment of the Secretary of State's responsibility under the laws of this State. The board may recommend to the Secretary of State that the complaint be dismissed or that a notary public's commission be denied, suspended, revoked or not renewed or any other action that the board determines to be appropriate.

See title page for effective date.

CHAPTER 75

S.P. 112 - L.D. 348

An Act To Facilitate the Removal of Dams That Pose a Hazard to Public Safety and the Installation and Repair of Fishways

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

Sec. 1. 38 MRSA §480-Q, sub-§25, as amended by PL 2005, c. 330, §15, is further amended to read:

25. Existing agricultural fields and pastures. Maintenance, but not enlargement, of agricultural fields and pastures in existence on September 1, 2002 that are adjacent to a river, stream or brook not regulated by a municipality under chapter 3, subchapter 1, article 2-B; ~~and~~

Sec. 2. 38 MRSA §480-Q, sub-§26, as enacted by PL 2005, c. 330, §16, is amended to read:

26. Overboard wastewater system. Installation, maintenance or removal of a licensed overboard discharge treatment system, including the outfall pipe, if:

- A. Erosion control measures are taken to prevent sedimentation of the water;
- B. Effects of construction activity on the protected natural resource are minimized; and

C. The activity is approved by the department as provided in the department's rules concerning overboard discharges adopted pursuant to section 414-A;

Sec. 3. 38 MRSA §480-Q, sub-§27 is enacted to read:

27. Fishways. Erection, maintenance, repair or alteration of a fishway in a dam or other artificial obstruction when required by the Commissioner of Inland Fisheries and Wildlife pursuant to Title 12, section 12760 or by the Commissioner of Marine Resources pursuant to Title 12, section 6121;

Sec. 4. 38 MRSA §480-Q, sub-§28 is enacted to read:

28. Release of water from dam after petition by owner for release from dam ownership or water level maintenance. Activity associated with the release of water from a dam pursuant to an order issued by the department pursuant to section 905; and

Sec. 5. 38 MRSA §480-Q, sub-§29 is enacted to read:

29. Dam safety order. Activity associated with the breach or removal of a dam pursuant to an order issued by the Commissioner of Defense, Veterans and Emergency Management under Title 37-B, chapter 24.

See title page for effective date.

CHAPTER 76

S.P. 57 - L.D. 171

An Act To Extend the Season for Training Hunting Dogs

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

Whereas, it is vital to the management of game species that adequate opportunity exist for hunters to properly train their hunting dogs; and

Whereas, hunting dog training season begins on July 1, 2009; 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 §12051, sub-§1-A is enacted to read: