

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2014 to July 16, 2015

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Augusta, Maine
2015

performs services as a surveyor, an architect, a forester licensed under Title 32, chapter 76 or an engineer, or as a real estate licensee, or as an owner-renter, owner-lessee, or owner-supplier of equipment used in erecting, altering, moving or repairing a house, building or appurtenances, including any public building erected or owned by any city, town, county, school district or other municipal corporation, or in constructing, altering or repairing a wharf or pier, or any building thereon, including the surveying, clearing, grading, draining, excavating or landscaping of the ground adjacent to and upon which any such objects are constructed, or in selling any interest in land, improvements or structures, by virtue of a contract with or by consent of the owner, has a lien thereon and on the land on which it stands and on any interest such owner has in the same, to secure payment thereof, with costs. If the owner of the building has no legal interest in the land on which the building is erected or to which it is moved, the lien attaches to the building, and if the owner of the wharf or pier has no legal interest in the land on which the wharf or pier is erected, the lien attaches to the wharf or pier, and in either case may be enforced as provided. If the owner of such land, building, wharf or pier, so contracting, is a minor or married woman, such lien exists and such minority or coverture does not bar a recovery in any proceeding brought to enforce it.

See title page for effective date.

CHAPTER 57

H.P. 394 - L.D. 570

An Act To Authorize the Commissioner of Inland Fisheries and Wildlife To Postpone or Cancel an Open Hunting Season

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

Sec. 1. 12 MRSA §10105, sub-§17 is enacted to read:

17. Postpone or cancel the start of an open hunting season. Notwithstanding any provision of subpart 4, the commissioner, based on sound scientific wildlife management principles, may postpone or cancel an open hunting season on any game species if the commissioner has concerns regarding disease, weather conditions, reduction in population or other unforeseen factors that may prevent publicly derived management goals from being met.

See title page for effective date.

CHAPTER 58

S.P. 291 - L.D. 817

An Act Regarding Aerial Pesticide Spray Projects

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

Sec. 1. 22 MRSA §1444, sub-§2, as enacted by PL 1997, c. 215, §1, is amended to read:

2. Aerial spraying. When the infestation causing a public health nuisance may be controlled by the aerial spraying of pesticides, the municipal officers in the affected municipality may conduct aerial spraying subject to rules adopted by the Board of Pesticides Control, pursuant to Title 7, section 610 and Title 22, section 1471-R, subsection 3, paragraph C 1471-M, except that:

A. The municipality ~~rather than the applicator~~ is responsible for compliance with the notification and consent regulations;

B. Landowners who are sent written notification by mail, sent to the landowner's last known address as contained in the municipal assessing records and who fail to respond to the notice within 30 days are deemed to have consented to aerial spraying;

C. A landowner's written consent to spray remains valid unless the municipal officers are notified in writing at least 90 days before spraying is to occur that:

(1) The landowner withdraws consent; or

(2) Ownership of the property has been transferred and the notice contains the name and mailing address of the new owner;

~~D. Any such notice sent or consent received in calendar year 1997 prior to the effective date of this chapter constitutes adequate notice or consent under the law;~~

E. Written notice to the landowners must identify the chemicals to be used in the aerial spraying; and

F. Public notice of the date of the aerial spraying, subject to change because of weather conditions, must be given 24 hours prior to the spraying.

Sec. 2. 22 MRSA §1471-C, sub-§5, as amended by PL 2007, c. 245, §1, is further amended to read:

5. Commercial applicator. "Commercial applicator" means any person, ~~except a government pesticide supervisor~~, whether or not the person is a private applicator with respect to some uses, who uses or supervises the use of any limited or restricted-use pesti-