

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

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 15, 2015

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

Augusta, Maine
2015

**CHAPTER 4
H.P. 60 - L.D. 66**

**Resolve, Naming the Bridges
That Span the Machias River
in Machias the Jeremiah
O'Brien Memorial Bridges**

Sec. 1. Bridges in Machias named. Resolved: That the Department of Transportation shall designate bridges numbered 1469, 1470 and 2191 on U.S. Route 1 that span the Machias River in the Town of Machias the Jeremiah O'Brien Memorial Bridges.

See title page for effective date.

**CHAPTER 5
H.P. 145 - L.D. 202**

**Resolve, Regarding
Legislative Review of
Portions of Chapter 22:
Standards for Outdoor
Application of Pesticides by
Powered Equipment in Order
To Minimize Off-target
Deposition, a Major
Substantive Rule of the
Department of Agriculture,
Conservation and Forestry,
Board of Pesticides Control**

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

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 22: Standards for Outdoor Application of Pesticides by Powered Equip-

ment in Order To Minimize Off-target Deposition, a provisionally adopted major substantive rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective March 29, 2015.

**CHAPTER 6
H.P. 146 - L.D. 203**

**Resolve, Regarding
Legislative Review of
Portions of Chapter 28:
Notification Provisions for
Outdoor Pesticide
Applications, a Major
Substantive Rule of the
Department of Agriculture,
Conservation and Forestry,
Board of Pesticides Control**

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

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 28: Notification Provisions for Outdoor Pesticide Applications, a provisionally adopted major substantive rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control that has been submitted to the Legislature for review pursuant to the Maine Revised Stat-

utes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective March 29, 2015.

**CHAPTER 7
H.P. 4 - L.D. 1**

**Resolve, To Name the Route 11
Bridge over the Saco River in
Standish and Limington the
Veterans Memorial Bridge**

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

Whereas, a ceremony to honor veterans is planned for Memorial Day, May 25, 2015 at the Route 11 bridge renamed in the legislation; and

Whereas, that date will pass before the 90-day period expires; 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,

Sec. 1. Route 11 bridge named. Resolved: That the Department of Transportation shall designate Bridge 3328 on Route 11 that crosses the Saco River between the Town of Standish and the Town of Limington the Veterans Memorial Bridge and shall erect an appropriate sign or signs to proclaim this designation.

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

Effective March 31, 2015.

**CHAPTER 8
S.P. 48 - L.D. 115**

**Resolve, To Name Interstate
295 from Scarborough to West
Gardiner the Richard A.
Coleman Highway**

Sec. 1. Interstate 295 named. Resolved: That the Department of Transportation shall designate

Interstate 295 from the tollbooth in the Town of Scarborough to the tollbooth in the Town of West Gardiner as the Richard A. Coleman Highway.

See title page for effective date.

**CHAPTER 9
H.P. 143 - L.D. 200**

**Resolve, Regarding
Legislative Review of
Portions of Chapter 895:
Underground Facility
Damage Prevention
Requirements, a Major
Substantive Rule of the
Public Utilities Commission**

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

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 895: Underground Facility Damage Prevention Requirements, a provisionally adopted major substantive rule of the Public Utilities Commission that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the following change is made.

1. The rule must be amended in section 6(C)(4) to provide a specific time frame, not to exceed 10 business days, for a non-member operator to notify the Public Utilities Commission that the non-member operator's contact person who receives excavation notifications has changed or that the contact information of the contact person has changed for purposes of maintaining the commission's OKTODIG database.