

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 68

6
7 S.P. 50

In Senate, January 15, 1985

8 Submitted by the Department of Inland Fisheries and Wildlife pursuant
9 to Joint Rule 24.

10 Reference to the Committee on Fisheries and Wildlife suggested and
ordered printed.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Matthews of Kennebec.

11 Cosponsored by Representative Clark of Millinocket, Representative
Conners of Franklin and Representative Duffy of Bangor.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT to Clarify and Make Corrections
18 in the Fisheries and Wildlife Laws.
19

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

22 Sec. 1. 7 MRSA §3455, first ¶, as amended by PL
23 1979, c. 541, Pt. A, §76, is further amended to read:

24 It shall be unlawful for any dog, licensed or un-
25 licensed, to run at large, except when used for hunt-
26 ing. The owner of any dog running at large commits a
27 civil violation for which a forfeiture of not less
28 than \$25 nor more than \$100 shall be adjudged.

29 Sec. 2. 12 MRSA §7001, sub-§5-A is enacted to
30 read:

31 5-A. Domicile. "Domicile" means the place where
32 a person has his true, fixed and permanent home.

33 Sec. 3. 12 MRSA §7055, as amended by PL 1981, c.
34 644, §4, is further amended to read:

1 §7055. Officials with full powers of game wardens

2 Sheriffs, deputy sheriffs, police officers, con-
3 stables, marine patrol officers, wardens of the
4 Penobscot Indian Nation within the Penobscot Indian
5 Territory, as defined by Title 30, section 6205, sub-
6 section 2, and special agents of the United States
7 Fish and Wildlife Service law enforcement personnel
8 employed by the United States Department of the
9 Interior shall have the powers of game wardens.

10 Sec. 4. 12 MRSA §7072, sub-§3, ¶A, as enacted by
11 PL 1983, c. 819, Pt. A, §23, is amended to read:

12 A. The commissioner shall designate as an agent
13 for the purpose of selling nonresident licenses
14 any business located in the State which submits a
15 complete application, is credit worthy and has
16 not violated any provision of this Part. A busi-
17 ness, the agency of which is revoked, may reapply
18 for an agency for the 2nd year following the last
19 year it held an agency. The commissioner may,
20 subject to this subsection, establish agents out-
21 side this State for the purpose of selling non-
22 resident licenses.

23 Sec. 5. 12 MRSA §7073, sub-§3, as enacted by PL
24 1979, c. 420, §1, is amended to read:

25 3. Proof of residency. The applicant is respon-
26 sible for submitting proof of residency to the agent
27 or the department, or both. Resident licenses issued
28 to persons who were unable to meet the residency re-
29 quirements at the time the license was issued are
30 invalid and shall be returned to the commissioner
31 upon request.

32 Sec. 6. 12 MRSA §7073, sub-§5, as enacted by PL
33 1979, c. 420, §1, is amended to read:

34 5. Duplicates. The commissioner's appointed
35 agents shall issue a duplicate license or permit to
36 any resident who has accidentally lost or destroyed
37 any license or permit issued to him under this chap-
38 ter upon payment of a fee of \$1, all of which shall

1 be retained by the clerk or agent. The agent or clerk
2 who issued the original license or permit shall issue
3 duplicates to residents. The department shall issue
4 duplicates to nonresidents who have lost or destroyed
5 any license or permit upon payment of a fee of \$1.

6 Sec. 7. 12 MRSA §7076, sub-§9, ¶A, as enacted by
7 PL 1979, c. 420, §1, is amended to read:

8 A. The commissioner shall issue a hunting, trap-
9 ping and fishing license to any Indian, 10 years
10 of age or older, of the Passamaquoddy, Penobscot,
11 Maliseet or Micmac Tribes without any charge or
12 fee, providing the Indian presents a certificate
13 from the respective reservation governor ~~or the~~
14 ~~President of the Association of Areesteek~~
15 ~~Indians, the Aroostook Micmac Council or the Cen-~~
16 ~~tral Maine Indian Association~~ stating that the
17 person described is an Indian and a member of
18 that tribe. Holders of these licenses shall be
19 subject to chapters 701 to 721.

20 Sec. 8. 12 MRSA §7101, sub-§1, ¶B, as enacted by
21 PL 1979, c. 420, §1, is amended to read:

22 B. No hunting license of any kind may be issued
23 to any person who is a mentally ill individual,
24 as defined in Title 34 34-B, section ~~2251~~ 3801,
25 or has a mental deficiency or mental illness, as
26 those terms are defined in Title 34 34-B, section
27 2562 9002.

28 Sec. 9. 12 MRSA §7101, sub-§2, as amended by PL
29 1979, c. 704, §1, is further amended to read:

30 2. Agent's fee. Clerks or other agents appointed
31 by the commissioner to issue licenses and permits
32 shall charge a fee of \$1 for each hunting license is-
33 sued. The commissioner shall charge a fee of \$1 for
34 each hunting license issued by department employees.
35 This fee shall be credited to the account of the de-
36 partment.

37 Sec. 10. 12 MRSA §7109, sub-§4, ¶C is enacted to
38 read:

1 C. Migratory waterfowl hunting permits shall ex-
2 pire on June 30th following the season for which
3 the permits were issued.

4 Sec. 11. 12 MRSA §7151, sub-§2, as amended by PL
5 1979, c. 704, §7, is further amended to read:

6 2. Agent's fee. Clerks or other agents appointed
7 by the commissioner to issue licenses shall charge a
8 fee of \$1 for each license issued. The commissioner
9 shall charge a fee of \$1 for each fishing license is-
10 sued by department employees. This fee shall be
11 credited to the account of the department

12 Sec. 12. 12 MRSA §7302, sub-§2, as repealed and
13 replaced by PL 1979, c. 543, §27, is amended to read:

14 2. Requirements. The board shall hold such meet-
15 ings as may be necessary and shall ~~adopt~~ advise the
16 commissioner on adoption of rules for the administra-
17 tion of this section and section 7303. The board
18 shall establish standards of requirements and methods
19 of ascertaining fitness of candidates for a junior
20 Maine guide certificate. The board shall also adopt,
21 approve and review trip leaders' safety course cur-
22 riculum which shall include, but not be limited to,
23 training in first aid and water safety, including
24 lifesaving techniques, as appropriate, and trip lead-
25 ers' qualifications under the special application
26 procedure in section 7303.

27 Sec. 13. 12 MRSA §7406, §12, as enacted by PL
28 1979, c. 420, §1, is amended to read:

29 12. Hunting without hunter orange clothing. A
30 person is guilty of hunting without hunter orange
31 clothing if he hunts with firearms during the open
32 firearm season on deer and fails to wear an article
33 of solid-colored hunter orange clothing which is in
34 good and serviceable condition and which is visible
35 from all sides, except that persons hunting waterfowl
36 from a boat or blind or in conjunction with waterfowl
37 decoys need not wear hunter orange clothing.

38 Sec. 14. 12 MRSA §7407, as amended by PL 1983,
39 c. 862, §40, is further amended to read:

1 §7407. Migratory waterfowl hunting

2 Migratory waterfowl hunting is governed by the
3 license and permit provisions of sections 7105, 7108
4 and 7109.

5 Sec. 15. 12 MRSA §7627, as enacted by PL 1979,
6 c. 420, §1, is amended to read:

7 §7627. Leaving an ice fishing shack

8 A person is guilty of leaving an ice fishing
9 shack if he owns any shack or temporary structure
10 used for ice fishing and he leaves or allows the
11 shack or structure to remain on the ice of any inland
12 waters more than 3 days after the waters on which the
13 shack or structure is located ~~is~~ are closed to ice
14 fishing.

15 Sec. 16. 12 MRSA §7652, sub-§3, ~~1B~~, as amended
16 by PL 1981, c. 644, §29, is further amended to read:

17 B. The following areas shall be classified as
18 state-owned wildlife management areas:

19 Augusta -- Augusta, Windsor -- Kennebec County.

20 Brownfield -- Brownfield, Denmark, Fryeburg --
21 Oxford County.

22 Bull Hill -- Atkinson, Charleston, Dover-Foxcroft
23 and Garland -- Penobscot and Piscataquis Counties.
24

25 Chesterville -- Chesterville -- Franklin County.

26 Coast of Maine -- certain coastal islands in
27 Washington, Hancock, Knox, Lincoln, Cumberland,
28 Waldo, Sagadahoc and York Counties.

29 Fahi Pond -- Embden -- Somerset County.

30 Frye Mountain -- Montville, Knox, Morrill --
31 Waldo County.

32 Great Works -- Edmunds Twp. -- Washington County.

1 Jonesboro -- Jonesboro -- Washington County.
2 Long Lake -- St. Agatha -- Aroostook County.
3 All of Long Lake within the Town of St. Agatha.
4 Lyle Frost -- (formerly Scammon), Eastbrook,
5 Franklin -- Hancock County.
6 Madawaska -- Palmyra -- Somerset County.
7 Manuel -- Hodgdon, Cary Plt., Linneus --
8 Aroostook County.
9 Mercer Bog -- Mercer -- Somerset County.
10 Merrymeeting Bay -- Dresden and Bowdoinham --
11 Lincoln and Sagadahoc Counties.
12 Newfield -- Newfield-Shapleigh -- York County.
13 Old Pond Farm -- Maxfield-Howland -- Penobscot
14 County.
15 Orange River -- Whiting -- Washington County.
16 Peaks Island -- Portland -- Cumberland County.
17 Pennamaquam -- Pembroke-Charlotte -- Washington
18 County.
19 Ruffingham -- Montville-Searsmont -- Waldo Coun-
20 ty.
21 St. Albans -- St. Albans -- Somerset County.
22 Sandy Point -- Stockton Springs -- Waldo County.
23 Scarborough -- Scarborough-Old Orchard Beach-Saco
24 -- Cumberland and York Counties.
25 Steve Powell -- Perkins Twp. -- Sagadahoc County.
26 Being the islands in the Kennebec River near
27 Richmond known as Swan Island and Little Swan Is-
28 land formerly known as Alexander Islands.

1 Weskeag Marsh -- South Thomaston, Thomaston,
2 Rockland and Owl's Head -- Knox County.

3 Sec. 17. 12 MRSA §7757, sub-§2, as amended by PL
4 1983, c. 807, Pt. J, and Pt. Q, §3, and c. 819, Pt.
5 A, §27, is repealed and the following enacted in its
6 place:

7 2. Report and allocation. The Commissioner of
8 Inland Fisheries and Wildlife shall include a report
9 on the Maine Endangered and Nongame Wildlife Fund as
10 part of the report submitted to the Governor pursuant
11 to section 7034. This report shall also be submitted
12 to the joint standing committee of the Legislature
13 having jurisdiction over fisheries and wildlife. The
14 commissioner shall submit a budget for each biennium
15 in accordance with Title 5, sections 1663 to 1666.
16 The State Controller shall authorize expenditures
17 from the fund as allocated by the Legislature.

18 Sec. 18. 12 MRSA §7798-A is enacted to read:

19 §7798-A. Certificate of number for motorboats rented
20 or leased

21 Before any motorboat may be rented or leased, the
22 owner of the motorboat shall obtain a certificate of
23 number from the commissioner under section 7794.

24 Sec. 19. 12 MRSA §7801, sub-§6-A is enacted to
25 read:

26 6-A. Leasing or renting a motorboat without a
27 certificate of number. A person is guilty of renting
28 or leasing a motorboat without a certificate of num-
29 ber if he rents or leases any motorboat not covered
30 by a current certificate of number as required by
31 section 7798-A.

32 Sec. 20. 12 MRSA §7854, sub-§6-A is enacted to
33 read:

34 6-A. Lost or stolen number plates. Any time an
35 all-terrain vehicle number plate becomes lost or sto-
36 len, the owner shall immediately notify the commis-
37 sioner. Replacement for number plates which have be-

1 come lost, stolen or destroyed may be obtained from
2 the commissioner upon application and payment of a
3 fee of \$2.50.

4 Sec. 21. 12 MRSA §7854, sub-§7, as enacted by PL
5 1983, c. 297, §§1 and 3, is repealed and the follow-
6 ing enacted in its place:

7 7. Transfer of ownership or discontinuance of
8 use. A transfer of ownership or discontinuance of
9 use of an all-terrain vehicle shall be subject to the
10 following.

11 A. Whoever transfers the ownership or discontin-
12 ues the use of a registered all-terrain vehicle
13 shall, within 10 days, properly sign the regis-
14 tration certificate, indicating the disposition
15 of the all-terrain vehicle, and return the cer-
16 tificate to the commissioner. Except as provided
17 in paragraph B, the registration number plate
18 shall be returned with the certificate.

19 B. An all-terrain vehicle owner who transfers
20 ownership or discontinues its use may, within 10
21 days from the date of transfer or discontinuance,
22 apply to the commissioner for registration of an-
23 other all-terrain vehicle, in which case he may
24 retain the registration number plate and, upon
25 receipt of the new certificate, attach the plate
26 to the new all-terrain vehicle. The fee for such
27 a transfer shall be \$2 and the registration cer-
28 tificate shall be valid for the remainder of the
29 registration year for which the previous
30 all-terrain vehicle had been registered.

31 C. Whenever there is a change of ownership of an
32 all-terrain vehicle for which a registration has
33 previously been issued, the new owner shall apply
34 for a new registration certificate and plate and
35 shall pay the regular \$5 fee.

36 Sec. 22. 12 MRSA §7901, sub-§5, as enacted by PL
37 1983, c. 329, §4; c. 440, §16; and c. 572, §5, is
38 repealed and the following enacted in its place:

39 5. Whenever a violation of any prohibited act in
40 chapters 701 to 721 is committed by an habitual vio-

1 lator, as defined in section 7001, subsection 13-A,
2 the penalty for that violation shall be a fine of not
3 less than \$500 and a term of imprisonment of not less
4 than 3 days, this fine and imprisonment not to be
5 suspended.

6 Sec. 23. 12 MRSA §7901, sub-§5-A is enacted to
7 read:

8 5-A. Violation not a crime. A violation of sec-
9 tion 7801, subsection 28, is not a crime.

10 Sec. 24. 29 MRSA §2709, sub-§1, as amended by PL
11 1983, c. 696, §1, is further amended to read:

12 1. Exemptions. There is exempt from this chapter
13 the operation over the highways of motor vehicles
14 transporting freight or merchandise for hire:

15 A. While being used within the limits of a sin-
16 gle city or town in which the vehicle is regis-
17 tered by the Secretary of State or in which the
18 owner maintains a regular and established place
19 of business, or within 15 miles, by highway in
20 this State, of the point in that single city or
21 town where the property is received or delivered,
22 but no person, firm or corporation may operate,
23 or cause to be operated, any motor vehicle for
24 the transportation of property for hire beyond
25 those limits without a permit as required by this
26 chapter; nor may any such person, firm or corpo-
27 ration participate in the transportation of prop-
28 erty originating or terminating beyond the limits
29 without holding such a permit unless the property
30 is delivered to or received from a carrier over
31 the highways operating under a permit issued by
32 the bureau or railway, railway express or water
33 common carrier, but nothing in this section may
34 prevent a carrier from delivering and picking up
35 with his exempt motor vehicle, in a city or town
36 where he has a terminal, freight and merchandise
37 transported or to be transported over territory
38 for which a permit is required; nothing in this
39 paragraph permits the transportation of freight
40 or merchandise for hire, by motor vehicle, under
41 any circumstances by any person, firm or corpora-
42 tion beyond the 15-mile limit as prescribed un-

- 1 less the person, firm or corporation holds a per-
2 mit from the bureau;
- 3 B. While engaged, directly or through a contrac-
4 tor, exclusively in construction or maintenance
5 work for any branch of the Government of the
6 United States, or for any department of the
7 State, or for any county, city, town or village;
- 8 C. While engaged exclusively in the transporta-
9 tion of the United States mail;
- 10 D. While engaged exclusively in the transporta-
11 tion of fresh fruits and fresh vegetables from
12 farms to processing plants or quick freezing
13 plants, places of storage or places of shipment,
14 or the products of vining and cutting plants to
15 processing plants or quick freezing plants during
16 the harvesting season to points within 50 miles
17 thereof, by highway;
- 18 E. While engaged exclusively in the hauling of
19 wood, pulpwood, logs, sawed lumber, wood chips,
20 bark, hogged fuel or sawdust from the woodlot or
21 forest area where cut, sawed or chipped to points
22 within 100 miles thereof, by highway, or while
23 hauling, within the distance, horses, crew,
24 equipment and supplies to or from that woodlot or
25 forest area;
- 26 F. While engaged exclusively in the transporta-
27 tion of livestock for exhibition purposes, in-
28 cluding race horses, to and from agricultural
29 fairs, race tracks and other exhibits;
- 30 G. While engaged exclusively in the hauling of
31 milk and cream to receiving stations from points
32 within a distance of 50 miles by highway from
33 them;
- 34 H. Of any bona fide agricultural cooperative as-
35 sociation transporting property exclusively for
36 the members of that association on a nonprofit
37 basis, or of any independent contractor trans-
38 porting property exclusively for the association;

1 I. Of any independent contractor while engaged
2 exclusively in the transportation of seed, feed,
3 fertilizer and livestock for one or more owners
4 or operators of farms directly from the place of
5 purchase of the seed, feed, fertilizer and live-
6 stock by the owners or operators of the farms to
7 the farms, or in the transportation of agricul-
8 tural products for one or more owners or opera-
9 tors of farms directly from the farm on which the
10 agricultural products were grown to place of
11 storage, processing or shipment within 50 miles
12 by highway of the farm;

13 J. While engaged exclusively in the transporta-
14 tion of Christmas trees, wreaths and greens;

15 K. While engaged exclusively in the transporta-
16 tion of disabled, collision-damaged, wrecked or
17 repossessed highway motor vehicles within 50
18 miles by highway from the carrier's regular place
19 of business;

20 L. While engaged exclusively in the transporta-
21 tion of refuse, garbage and trash to disposal ar-
22 eas from points within a distance of 50 miles by
23 highway thereof;

24 M. While engaged exclusively in the transporta-
25 tion of sand, gravel, loam, rocks, crushed rock,
26 hot top, cold top and bituminous mixes in
27 dump-truck type vehicles and tractor-trailer ve-
28 hicles; and

29 N. While engaged exclusively in the transporta-
30 tion of buildings, houses and similar permanent
31 type structures being relocated, but not includ-
32 ing trailers and mobile homes.

33 Nothing under this chapter applies to persons, firms
34 or corporations operating motor vehicles carrying
35 property of which they are the actual and bona fide
36 owners, if the ownership is in pursuance of a primary
37 business, other than the transportation business, of
38 those persons, firms or corporations.

39 The exemptions provided in this subsection apply to
40 any nonresident owner or operator of any motor vehi-

1 cle to the extent that the state, district or country
2 of residence grants the same or similar privileges to
3 residents of this State.

4 If a state, district or country requires a permit or
5 charges residents of this State any fee for transpor-
6 tation exempted under this subsection, the bureau
7 shall require a permit and charge fees as required by
8 this chapter.

9 If any state, district, province or country prohib-
10 its, in any way, the transportation of wood, pulpwood
11 or logs from that state, district, province or coun-
12 try to this State, or by law or regulation requires a
13 citizen of this State to establish citizenship, a
14 residence or place of business or to register a busi-
15 ness in that state, district, province or country in
16 order to transport wood, pulpwood or logs from that
17 state, district, province or country to this State,
18 similar provisions shall apply to residents of that
19 state, district, province or country who transport
20 wood, pulpwood or logs from Maine to that state, dis-
21 trict, province or country. The limitations provided
22 in this section shall not apply to the sale of
23 sawlogs and pulpwood, but shall apply to the trans-
24 portation and methods of transportation of sawlogs
25 and pulpwood.

26 Any sawlogs and pulpwood harvested on lands owned by
27 the State may be transported without the limitations
28 provided by this section where the limitations are
29 based solely on the source of the sawlogs and pulp-
30 wood being state-owned lands, if, for lands adminis-
31 tered by the Department of Conservation, the Commis-
32 sioner of Conservation consents to the transport; for
33 lands administered by the Department of Inland Fish-
34 eries and Wildlife, the Commissioner of Inland Fish-
35 eries and Wildlife consents to the transport; or, for
36 lands administered by the Baxter State Park Authori-
37 ty, the authority consents to the transport. Such
38 consent shall be given where it is necessary to avoid
39 severe economic hardship or to avoid the disruption
40 of land management plans.

1 STATEMENT OF FACT

2 Section 1 of this bill resolves a problem of
3 statutory construction and makes it clear that the
4 owner of any dog found running at large is subject to
5 a civil penalty.

6 Section 2 places the definition of "domicile" in
7 the fish and wildlife statutes in order to clear up
8 interpretation problems involving residency.

9 Section 3. There are certain United States fish
10 and wildlife officials other than special agents who
11 are empowered to enforce federal fish and game laws
12 in this State, such as refuge managers. These offi-
13 cers work very closely with state game wardens and
14 sometimes encounter violations of state law while
15 conducting their federal duties. This section makes
16 it clear that these federal officials have authority
17 to enforce state fish and wildlife laws.

18 Section 4 makes it clear that credit worthy busi-
19 nesses located outside the State would not necessari-
20 ly be designated as agents for the purpose of selling
21 nonresident hunting and fishing licenses. The com-
22 missioner would still have authority to establish li-
23 cense agents outside the State in areas where a need
24 exists.

25 Section 5. Resident hunting and fishing licenses
26 are sometimes issued to nonresidents through no fault
27 of the issuing agent and no proof of unlawful intent
28 on the part of the license holder. This section
29 makes it clear that resident licenses issued under
30 those circumstances are not valid and must be re-
31 turned upon request.

32 Sections 6, 9 and 11 make it clear that the de-
33 partment may charge the \$1 agent fee when licenses
34 are issued by department employees. This change
35 resolves an interpretation problem in existing stat-
36 utes and ensures that license buyers spend the same
37 amount of money to obtain a license regardless of
38 where it is purchased.

39 Section 7 corrects the Revised Statutes, Title
40 12, section 7076, because the Association of

1 Aroostook Indians no longer exists and Indians are
2 now certified by either the Aroostook Micmac Council
3 or the Central Maine Indian Association.

4 Section 8 corrects an error in the fisheries and
5 wildlife laws resulting from a recodification of
6 statutes involving mental health and mental retardation
7 which occurred in 1983.

8 Section 10 makes it clear that the effective
9 dates of the state duck hunting stamp coincide with
10 those of the federal stamp.

11 Section 12 removes an inconsistency in the law
12 pertaining to the licensing of guides and trip lead-
13 ers. The commissioner has rule-making authority over
14 the licensing of guides while the Junior Maine Guides
15 and Trip Leaders' Board has rule-making authority
16 over junior guides and trip leaders. This change
17 would require that the commissioner adopt any neces-
18 sary rules for the licensing of junior guides and
19 trip leaders upon advisement by the Junior Maine
20 Guides and Trip Leaders' Curriculum Board and with
21 advice and consent to the Fish and Wildlife Advisory
22 Council.

23 Section 13 makes it clear that orange-camouflage
24 clothing does not satisfy the hunter orange clothing
25 requirement which is in effect during the deer hunt-
26 ing season.

27 Section 14 removes an erroneous cross reference
28 from the statute. The section number being removed
29 deals with night hunting of coyotes and not with mi-
30 gratory waterfowl hunting.

31 Section 15 corrects a loophole in the law by mak-
32 ing it clear that the owner of an ice fishing shack
33 not removed from inland waters is in violation of law
34 on the 4th day after those waters are closed to ice
35 fishing.

36 Section 16 places the 6,000-acre Bull Hill Wild-
37 life Management Area on the statutory list of state-
38 owned wildlife management areas.

39 Section 17 repeals and replaces a section which

1 was amended 3 different times with similar language
2 during the Second Regular Session of the 111th Legis-
3 lature. This new section incorporates the legisla-
4 tive intent of all 3 amendments into the original
5 statute.

6 Sections 18 and 19 plug a loophole in the current
7 statute which has allowed boat dealers to engage in
8 the business of renting and leasing unregistered
9 boats through misuse of their dealer numbers.

10 Section 20 rectifies 2 omissions in the original
11 all-terrain vehicle law by requiring all-terrain ve-
12 hicle owners to report lost or stolen number plates
13 and by providing for replacement of plates which have
14 become lost, stolen or destroyed.

15 Section 21 makes several clarifications concern-
16 ing procedures for transferring ownership of
17 all-terrain vehicles. All-terrain vehicle owners
18 should be able to sell an all-terrain vehicle and re-
19 tain the plate to put on a new all-terrain vehicle
20 once the new machine has been registered at the re-
21 duced transfer fee. The changes contained in this
22 section provide for transfer of all-terrain vehicle
23 plates from one machine to another and eliminate the
24 requirement that the plate remain with one machine as
25 long as the machine is in use.

26 Sections 22 and 23 remove a section from the
27 statute which was reenacted when it should have been
28 reallocated during the special legislative session in
29 September of 1984.

30 Section 24 gives the Department of Inland Fisher-
31 ies and Wildlife the same authority previously pro-
32 vided to the Department of Conservation and the Bax-
33 ter State Park Authority to transport sawlogs and
34 pulpwood to the Province of Quebec if it is to the
35 economic advantage of the State to do so. This
36 transportation is generally prohibited by the reci-
37 procity provisions of the Revised States, Title 29,
38 section 2709, since Quebec currently prohibits the
39 transportation of sawlogs and pulpwood into Maine.
40 There does not appear to be any reason why the De-
41 partment of Inland Fisheries and Wildlife, a major
42 state land managing agency, was originally omitted

1 from the sections to be amended except through an
2 oversight.

3 0384121384