## 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)



## 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

Legislative Document

No. 1296

H.P. 899

House of Representatives, March 27, 1991

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

EDWIN H. PERT, Clerk

Presented by Representative JACQUES of Waterville.

Cosponsored by Representative CLARK of Millinocket, Representative TRACY of Rome and Senator MATTHEWS of Kennebec.

## STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND NINETY-ONE

An Act to Clarify Municipal Authority in Regulating Activities on Local Water Bodies Concerning Fishing or Ice Fishing.



	Be it enacted by the People of the State of Maine as follows:
2	<pre>Sec. 1. 12 MRSA §7035, sub-§1, ¶B, as enacted by PL 1979, c. 420, §1, is amended to read:</pre>
6	B. No municipality or political subdivision of the State
8	shall may enact any ordinance, law or rule regulating the hunting, trapping or fishing for any species of fish or
10	wildlife, the operation, registration or numbering of watercraft or snowmobiles, or any other subject matter of chapter 715, subchapters I and II. For purposes of this
12	paragraph, the regulation of fishing includes the regulation of ice fishing shacks. Nothing in this paragraph is-to may
14	be construed to prohibit the following:
16	(1) The enactment of any ordinance generally regulating the discharge of firearms in a municipality
18	or any part of a municipality; and
20	(2) The adoption of rules as authorized in section 7792.
22	Sec. 2. 22 MRSA §2649, sub-§1-A is enacted to read:
24	1-A. Prohibition. A municipality may not enact any
26	ordinance regulating the operation of motor vehicles on the ice of any body of water within the municipality.
28	Sec. 3. 30-A MRSA §3009, sub-§1, ¶E, as amended by PL 1989, c.
30	104, Pt. C, §§8 and 10, is repealed.
32	
34	STATEMENT OF FACT
36	This bill clarifies that the municipalities of the State have no authority to regulate ice fishing shacks or the operation
38	of motor vehicles on the ice of bodies of water that may be within their boundaries. The regulation of ice fishing shacks is
40	entrusted exclusively to the Department of Inland Fisheries and Wildlife and the regulation of motor vehicles on ice may be
42	regulated, under current law, by the department, but only when a public water supply is involved and only on petition of a water
44	utility, water district or municipality.