

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 626

H.P. 440

House of Representatives, February 17, 2009

An Act To Increase Participation in Funding the Activities of the Department of Inland Fisheries and Wildlife

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative EBERLE of South Portland.
Cosponsored by Senator BRYANT of Oxford and
Representatives: BRYANT of Windham, CAMPBELL of Newfield, CLARK of Millinocket,
DAVIS of Sangerville, DUCHESNE of Hudson, Speaker PINGREE of North Haven,
WHEELER of Kittery, Senator: McCORMICK of Kennebec.

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

2 **Sec. 1. 12 MRSA §10253, sub-§1**, as enacted by PL 2003, c. 414, Pt. A, §2 and
3 affected by c. 614, §9, is amended to read:

4 **1. Fund established.** The Maine Endangered and Nongame Wildlife Fund, referred
5 to in this section as the "fund," is established. The fund receives money deposited by the
6 Treasurer of State pursuant to ~~section~~ sections 10255 and 13074, subsection 2 and Title
7 36, section 5284, revenues generated in accordance with this section and any money
8 contributed voluntarily to the fund. All money deposited in the fund and the earnings on
9 that money remain in the fund to be used for the management of nongame wildlife and
10 for necessary administrative and personnel costs associated with the management of
11 nongame wildlife and may not be deposited in the General Fund or any other fund, except
12 as specifically provided by law.

13 **Sec. 2. 12 MRSA §10253, sub-§5**, as enacted by PL 2003, c. 414, Pt. A, §2 and
14 affected by c. 614, §9, is repealed.

15 **Sec. 3. 12 MRSA §13074** is enacted to read:

16 **§13074. Nonmotorized watercraft license: WE CARE**

17 **1. License required to operate a nonmotorized watercraft on inland waters.** A
18 person 16 years of age or older may not operate a nonmotorized watercraft on inland
19 waters unless that person holds a valid hunting, fishing or trapping license or a valid
20 Wildlife Enthusiast's Conservation Appreciation, Recreation and Enjoyment or WE
21 CARE license issued pursuant to this section.

22 **2. Fee.** The fee for the WE CARE license under subsection 1 is \$19 annually.
23 Revenue raised by the department from the sale of this license must be deposited in the
24 Maine Endangered and Nongame Wildlife Fund under section 10253.

25 **3. Penalty.** The penalties set out in this subsection apply to violations of this
26 section.

27 A. A person who violates subsection 1 commits a civil violation for which a fine of
28 not less than \$100 and not more than \$500 may be adjudged.

29 B. A person who violates subsection 1 after having been adjudicated as having
30 committed 3 or more civil violations under this Part within the previous 5-year period
31 commits a Class E crime.

32 **SUMMARY**

33 This bill prohibits a person 16 years of age or older from operating a nonmotorized
34 watercraft on inland waters without possessing a hunting, fishing or trapping license or a
35 Wildlife Enthusiast's Conservation Appreciation, Recreation and Enjoyment or WE
36 CARE license. The bill repeals the current voluntary WE CARE support program. The

1 fee for the WE CARE license is \$19 annually, and revenues generated from the sale of
2 the license must be deposited in the Maine Endangered and Nongame Wildlife Fund.