

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION
(EMERGENCY)

N I N E T Y - N I N T H L E G I S L A T U R E

Legislative Document

No. 1432

S. P. 525

In Senate, January 19, 1960.

Committee on Inland Fisheries and Game suggested.

CHESTER T. WINSLOW, Secretary

Presented by Senator Carpenter of Somerset.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY

**AN ACT Relating to Identification Numbers and Disposition of
Fines Under Boating Law.**

Emergency preamble. Whereas, the effective date for the Maine Boating Law, enacted by the 99th Legislature, is April 1, 1960; and

Whereas, certain provisions of the Maine Boating Law do not conform to the Federal Boating Act of 1958; and

Whereas, it is necessary to effect changes in the Maine Boating Law in order to assure Maine boat owners of certain benefits under the Numbering Acts of other states; 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 enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., c. 36-A, § 2, amended. Section 2 of chapter 36-A of the Revised Statutes, as enacted by section 1 of chapter 349 of the public laws of 1959, is amended by inserting before the definition of motorboat the following paragraph:

“‘Commissioner’ means the Commissioner of Inland Fisheries and Game.’”

Sec. 2. R. S., c. 36-A, § 3, amended. The first sentence of section 3 of chapter 36-A of the Revised Statutes, as enacted by section 1 of chapter 349 of the public laws of 1959, is amended to read as follows:

'Every motorboat on the waters of this State propelled by machinery of more than 10 horsepower, whether or not such machinery is the principal source of propulsion, shall be numbered ~~except that a motorboat owned by a nonresident may be operated for not more than 3 days in any calendar year without being so numbered.~~

Sec. 3. R. S., c. 36-A, § 4, sub-§ I, repealed and replaced. Subsection 1 of section 4 of chapter 36-A of the Revised Statutes, as enacted by section 1 of chapter 349 of the public laws of 1959, is repealed and the following enacted in place thereof:

I. Application; certificate of number. The owner of each motorboat requiring numbering by this State shall file an application for number with the commissioner on forms approved by him. The application shall be signed by the owner of the motorboat and shall be accompanied by a fee of \$2. Upon receipt of the application in approved form, the commissioner shall enter the same upon the records of the office and issue to the applicant a certificate of number, stating the number assigned to the motorboat and the name and address of the owner. The owner shall paint on or attach to each side of the bow of the boat the identification number assigned in order that it may be clearly visible. The number shall be not less than 3 inches in height. The number shall be maintained in a legible condition. The certificate of number shall be pocket size and shall be available at all times for inspection on the motorboat for which issued, whenever such motorboat is in operation;'

Sec. 4. R. S., c. 36-A, § 4, sub-§ IV, amended. Subsection IV of section 4 of chapter 36-A of the Revised Statutes, as enacted by section 1 of chapter 349 of the public laws of 1959, is amended to read as follows:

IV. Ownership transferred or use of vessel discontinued. Whoever transfers the ownership or discontinues the use of a numbered motorboat or vessel and applies to the commissioner ~~of Inland Fisheries and Game~~ for numbering of another motorboat or vessel within the license period shall be entitled to a certificate of number, permitting the use of ~~number plates issued on the number assigned to the former motorboat or vessel upon payment of a transfer fee of \$1.~~ The certificate issued for the numbering of the former motorboat or vessel shall be returned to the said commissioner ~~of Inland Fisheries and Game~~, showing that the ownership of such motorboat or vessel has been transferred or its use discontinued and that the certificate has been cancelled. **If any certificate of number is lost, mutilated or illegible, the owner of a boat may obtain a duplicate upon application and for a fee of \$1;**'

Sec. 5. R. S., c. 36-A, § 14, amended. Section 14 of chapter 36-A of the Revised Statutes, as enacted by section 1 of chapter 349 of the public laws of 1959, is amended by adding at the end the following sentence:

'All fines, penalties or officers' costs shall accrue to the Treasurer of State, in accordance with chapter 37, section 129.'

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect April 2, 1960.

STATEMENT OF FACTS

This bill proposes amendments to the Maine Boating Law to assure Maine boat owners of certain benefits under the numbering acts of other states, such as the elimination of the nonresident provision, and permitting painting on the identification number.