

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

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PUBLIC LAWS
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CHAPTER 235

H. P. 1090 — L. D. 1344

AN ACT to Allow Assignment of Personnel in Emergency Situations.

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

34 MRSA § 1, as repealed and replaced by PL 1977, c. 674, § 28, is amended by inserting at the end the following new paragraph:

When emergency situations are certified by the institution head to exist at an institution, the commissioner may, with the approval of the Governor, assign such personnel as may be necessary from another institution or division of the department to assist in controlling the emergency situation. The assignment shall be only for the period during which the emergency exists and any personnel transferred shall receive compensation as required by the Personnel Law and rules and contract terms.

Effective September 14, 1979

CHAPTER 236

H. P. 240 — L. D. 285

AN ACT to Prohibit Regulation of Solar Heating and Cooling Equipment by the Oil Burner Men's Licensing Board.

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

32 MRSA § 2302, sub-§ 5 is enacted to read:

5. Solar heating and cooling. Any heating or cooling equipment operated by means of solar energy.

Effective September 14, 1979

CHAPTER 237

H. P. 497 — L. D. 634

AN ACT to Regulate the Hunting of Bear.

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

Sec. 1. 12 MRSA § 2355, as last amended by PL 1977, c. 503, § 15, is further amended to read:

§ 2355. Registration and transportation of deer and bear

1. Registration stations. The commissioner shall establish deer **and bear** registration stations for the purpose of registering all deer **and bear** killed. Said stations shall be in charge of an agent designated by the commissioner and a list of the same shall be published in one or more daily newspapers of the State. Said agents shall register each and every deer **or bear** legally presented for registration, and shall attach a metal seal to each deer **or bear** in the manner as directed and with the materials furnished by the commissioner. Said agent shall receive from the person registering a deer **or bear** the sum of 25¢ for each seal to be retained by him.

2. Registration and tags.

A. No person shall at any time in any manner move or transport any deer **or bear**, or part thereof, unless open to view and there is securely attached thereto the deer **or bear** tag portion of the hunting license bearing the name and address of the person who killed that deer **or bear** and that deer **or bear** shall be accompanied by him while being moved or transported, except as otherwise provided in chapters 301 to 337.

B. All deer **or bear** killed shall be presented for registration at the first open deer **and bear** registration station on the route taken by the person who killed said deer **or bear** and said deer **or bear** shall be registered in his name.

C. No person shall present a deer **or bear** for registration or allow to be registered in his name any deer **or bear** which he himself did not lawfully kill.

3. Deer or bear at home or left in woods.

A. No person shall keep a deer **or bear** at his home, or at any place of storage, except a deer **or bear** registration station, more than 12 hours unless said deer **or bear** has been legally registered.

B. Prior to presenting a deer **or bear** for registration, it shall be unlawful for any person to possess or to leave in the fields or forests a deer **or bear** which he has killed which does not have securely attached thereto, and plainly visible, the deer **or bear** tag portion of his hunting license bearing his full name and address. Any deer **or bear** so found, to which the deer **or bear** tag portion of said license has not been attached, shall be seized and disposed of as directed by the commissioner.

5. Giving deer or bear away; labels. Notwithstanding subsection 2, paragraph A, no person shall have in his possession any part or parts of a deer **or bear** given to him, unless each separate part is plainly labeled with the name and address of

the person who registered the deer **or bear** and the name and address of the person to whom it was given and if said part be transported by any 3rd party, that the name and address of the party transporting the same be affixed thereto. This subsection shall not apply to any deer **or bear** or parts of deer **or bear** being transported by a Maine licensed transportation company, including common carriers, in accordance with other provisions of chapters 301 to 335.

6. Transportation within State. Any resident of this State, who has legally killed and registered a deer **or bear**, may have said deer **or bear** transported within the State, without accompanying the same, by purchasing a deer **or bear** transportation tag which shall be attached to said deer **or bear** while being transported. This deer **or bear** transportation tag shall cost \$3, 50¢ to be retained by the issuing agent.

7. Transportation beyond the State. Any resident of this State, who has legally killed and registered a deer **or bear**, may transport said deer **or bear** or have the same transported beyond the boundaries of this State by purchasing a deer **or bear** transportation tag which shall be attached to said deer **or bear** while being transported. This deer **or bear** transportation tag shall cost \$53.50, 50¢ to be retained by the issuing agent, except that no fee shall be required of any resident of this State who is serving in the Armed Forces of the United States.

8. Nonresident. Any nonresident, who has legally killed and registered a deer **or bear**, may have said deer **or bear** transported beyond the boundaries of this State under the following condition:

A. Said deer **or bear** or parts thereof may be transported by a Maine licensed transportation company, including common carriers; **and**

B. Said deer **or bear** or parts thereof may be transported by other than a Maine licensed transportation company, including common carriers, when accompanied by a nonresident transportation permit which may be obtained by the licensee from an inland fish and game warden in whose district the deer **or bear** was killed, or from any inland fish and game warden supervisor.

9. Printing on nonresident license. There shall be printed upon the back of the deer **and bear** coupon portion of a nonresident license, which shall be attached to each deer **or bear** so transported, the following words: **THIS DEER WAS SHOT IN THE STATE OF MAINE and THIS BEAR WAS SHOT IN THE STATE OF MAINE.** The first 8 words of each inscription shall be printed in 18-point caps and the word "MAINE" in 96-point Gothic type.

10. Application. Except as provided in this section, no person shall transport or attempt to transport any deer **or bear** or parts thereof beyond the limits of this State.

Sec. 2. 12 MRSA § 2355-C, as amended by PL 1975, c. 516, § 11, is repealed.

Sec. 3. 12 MRSA § 2801, first 2 sentences are amended to read:

No person shall at any time buy, sell or offer for sale or barter any deer or bear, or part thereof, except that the heads and hides thereof may be sold to any properly licensed taxidermist for the purpose of preserving and mounting as provided in Title 32, section 4351, and to any dealer as provided in Title 32, section 4352. Whoever aids in buying, selling or offering for sale or barter any deer or bear, or part thereof, or counsels or otherwise aids in procuring the same shall be punished in the manner prescribed for the punishment of the principal offender.

Sec. 4. Effective date. This Act shall become effective on January 1, 1980.

Effective January 1, 1980

CHAPTER 238

H. P. 663 — L. D. 838

AN ACT to Amend the Statutes Relating to Airmobiles.

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

Sec. 1. 12 MRSA c. 304-A, as enacted by PL 1973, c. 238 and as amended, is repealed.

Sec. 2. 12 MRSA § 2061, sub-§ 1-A is enacted to read:

1-A. Airmobile. "Airmobile" means any vehicle propelled by mechanical power that is designed to travel upon a cushion of air on or within 2 feet of the water or land surface of the earth.

Sec. 3. 12 MRSA § 2061, sub-§ 5-A is enacted to read:

5-A. Dwelling. "Dwelling" means any building used as a permanent residence or place of domicile.

Sec. 4. 12 MRSA § 2061, sub-§ 8, as enacted by PL 1973, c. 734, § 1, is amended to read:

8. Motorboat. "Motorboat" means any watercraft, including airmobiles, equipped with propulsion machinery of any type, whether or not such machinery is the principal source of propulsion, or is permanently or temporarily attached or is available for propulsion on the watercraft.

Sec. 5. 12 MRSA § 2067, sub-§ 2, ¶ E is enacted to read:

E. Regulations restricting the operation of airmobiles in fish or wildlife preserves, conservation areas or other areas where the operation may harm the