

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)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 1982 to June 24, 1983
Chapters 453-End

AND AT THE
FIRST SPECIAL SESSION
September 6, 1983 to September 7, 1983
Chapters 583-588

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH
IN ACCORDANCE WITH MAINE REVISED STATUTES
ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

J.S. McCarthy Co., Inc.
Augusta, Maine
1983

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

CONTINUED

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

CHAPTER 588

H.P. 1364 - L.D. 1797

AN ACT to Provide Additional
Revenue to the Department of Inland
Fisheries and Wildlife by an Increase in
License Fees and to Allocate that Revenue to
the Department of Inland Fisheries and
Wildlife for the Fiscal Years Ending June
30, 1984, and June 30, 1985.

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

Sec. 1. 5 MRSA §135, first ¶, as amended by PL 1979, c. 398, §§1 and 2, is further amended to read:

The Treasurer of State may deposit the moneys, including trust funds of the State, in any of the banking institutions or trust companies or state or federal savings and loan associations or mutual savings banks organized under the laws of this State or in any national bank or banks or state or federal savings and loan associations located therein. When there are excess moneys in the State Treasury which are not needed to meet current obligations he may, with the concurrence of the State Controller or the Commissioner of Finance and Administration and with the consent of the Governor, invest such amounts in bonds, notes, certificates of indebtedness or other obligations of the United States of America which mature not more than 24 months from the date of investment or in repurchase agreements secured by obligations of the United States of America which mature within the succeeding 24 months, prime commercial paper or banker's acceptances. The Treasurer of State may participate in the securities loan market by loaning state-owned bonds, notes or certificates of indebtedness of the Federal Government, provided that the loans are fully collateralized by treasury bills or cash. The Treasurer of State shall seek competitive bids for investments except when, after a reasonable investigation, it appears that an investment of the desired maturity is procurable by the State from only one source. Interest earned on such investments of moneys shall be credited to the respective funds, except that interest earned on investments of special revenue funds shall be credited to the General Fund of the State. Interest earned on funds of the Department of Inland Fisheries and Wildlife shall be in lieu of any office rental charges made by the General Fund credited to that

fund. This section shall not prevent the deposit for safekeeping or custodial care of the securities of the several funds of the State in banks or safe deposit companies in this State or any other state, nor the deposit of such state funds as may be required by the terms of custodial contracts or agreements as may be hereafter negotiated in accordance with the laws of this State. All custodial contracts and agreements shall be subject to the approval of the Governor.

Sec. 2. 12 MRSA §7034, sub-§4-A is enacted to read:

4-A. Administration of department. The commission shall adopt written policies establishing procedures to control the use of department equipment and vehicles. The commissioner shall review and control all administrative expenses, including reimbursement of moving expenses.

Sec. 3. 12 MRSA §7035, sub-§12 is enacted to read:

12. Employee discipline. The commissioner may dismiss, suspend or otherwise discipline any department employee for cause. This right is subject to the right of appeal and arbitration of grievances set forth in the Revised Statutes.

Sec. 4. 12 MRSA §7036, sub-§§5 and 6 are enacted to read:

5. Trapping by certain department employees. No department biologist or warden may trap wild animals for profit while on duty within the district to which he is assigned.

6. Personal use of vehicles and equipment. No employee may use any department equipment or vehicles for other than official business.

Sec. 5. 12 MRSA §7076, sub-§6, as amended by PL 1981, c. 644, §5, is further amended to read:

6. Residents in Armed Forces. A combination fishing and hunting license shall be issued upon payment of \$5 \$7, plus the issuing fee, to a Maine resident on active duty in the Armed Forces of the United States, his spouse and children. These persons shall be issued all other licenses or permits at resident fees. The license will be valid during the year of issue.

Sec. 6. 12 MRSA §7101, sub-§5, as amended by PL 1981, c. 414, §§11 to 13, is repealed and the follow-

ing, enacted in its place:

5. Schedule of fees. The schedule of fees is as follows:

- A. Resident junior hunting license.....\$3
(10 years of age or older and under 16)
- B. Resident hunting license.....\$11
(16 years of age or older)
- C. Resident combination hunting and fishing li-
cense.....\$20
- C-1. Resident supersport license.....\$30
- D. Resident combination archery hunting and
fishing license.....\$20
- E. Nonresident junior hunting license.....\$23
(10 years of age or older and under 16)
(Permits hunting of all species, except deer and
bear with firearms)
- F. Nonresident small game hunting license....\$43
(Permits hunting of all species, except deer and
bear)
- G. Nonresident big game hunting license.....\$73
(Permits hunting of all species, including deer
and bear)
- H. Nonresident combination hunting and fishing
license.....\$99
- I. Alien small game hunting license.....\$58
(Permits hunting of all species, except deer and
bear)
- J. Alien big game hunting license.....\$113
(Permits hunting of all species, including deer
and bear)
- K. Alien combination hunting and fishing license
.....\$152

Sec. 7. 12 MRSA §7102, sub-§3, as amended by PL 1981, c. 414, §15, is repealed and the following enacted in its place:

3. Schedule of fees. The schedule of fees is as follows:

- A. Resident archery license.....\$11

B. Resident combination archery hunting and fishing license.....\$20
(available from the department in Augusta only)

C. Nonresident archery license.....\$43

D. Alien archery license.....\$58

Sec. 8. 12 MRSA §7105, sub-§2, as amended by PL 1981, c. 414, §19, is further amended to read:

2. Fee. The fee for a special commercial shooting area hunting license is ~~\$9.~~ \$11.

Sec. 9. 12 MRSA §7151, sub-§5, as amended by PL 1981, c. 414, §21, is further amended to read:

5. Schedule of fees.

A. Resident fishing license.....~~\$9~~ \$11
(16 years of age or older)

B. Resident combination hunting and fishing li-
cence.....\$16 \$20

C. Resident combination archery hunting and fishing license.....\$16 \$20

D. Junior nonresident fishing.....~~\$3-50~~ \$5
(12 years of age or older and under 16)

E. Resident or nonresident 3-day fishing license
.....~~\$9~~ \$11
(Valid for 3 days from date indicated on license)

F. Nonresident 7-day fishing.....~~\$17~~ \$22
(Valid for 7 days from date indicated on license).

G. Nonresident 15-day fishing license....\$20 \$26
(Valid for 15 days from date indicated on li-
cence)

H. Nonresident season fishing license....\$30 \$38
(16 years of age or older)

I. Alien season fishing license.....\$50 \$58
(16 years of age or older)

Sec. 10. 12 MRSA §7171, sub-§2, as amended by PL 1979, c. 543, §18, is further amended to read:

2. Fee. The fee for a live bait dealer's license shall be ~~\$15~~ \$17 for each calendar year.

Sec. 11. 12 MRSA §7301, sub-§7, as repealed and replaced by PL 1979, c. 543, §26, is amended to read:

7. Fee. The annual fee for a resident guide license is ~~§34~~ §36. The annual fee for a nonresident guide license is ~~§130~~ §138. The annual fee for an alien guide license is ~~§155~~ §163.

Sec. 12. 12 MRSA §7792, sub-§1-A is enacted to read:

1-A. Municipal watercraft registration. Rules authorizing the commissioner to delegate to municipalities the authority to issue watercraft registrations. These rules shall include provisions for the municipalities to retain reasonable administrative costs from fees collected.

Sec. 13. 12 MRSA §7824, sub-§1-A is enacted to read:

1-A. Municipal snowmobile registration. The commissioner may delegate to municipalities the authority to issue snowmobile registrations. The commissioner may authorize municipalities to retain reasonable administrative costs from fees collected.

Sec. 14. 12 MRSA §7901, sub-§1-A is enacted to read:

1-A. Violation. A violation of section 7371, subsection 3, is a Class E crime, provided that the convicted person shall be subject to a fine of not less than twice the applicable license fee, this fee not to be suspended.

Sec. 15. Moratorium on new biological programs and reclassifications. The Commissioner of Inland Fisheries and Wildlife may not initiate any new biological programs until January 2, 1984, unless each program is specifically approved by the Governor. No reclassification of any biological employee positions may be approved until after July 1, 1984.

Sec. 16. Allocation of Department of Inland Fisheries and Wildlife funds. In order to provide for the expenditures necessary for the operation of the Department of Inland Fisheries and Wildlife from January 1, 1984, to June 30, 1984, and from July 1, 1984, to June 30, 1985, the following sums or as much thereof as shall severally be found necessary, as designated in the following tabulations, are allocated out of moneys lawfully available to the department from the revenue raised by this Act. Upon receipt of allotments duly approved by the Governor based upon work programs submitted to the State Budget Officer, the State Controller shall authorize expenditures of these allocations on the basis of these allotments and not otherwise.

1983-84

1984-85

INLAND FISHERIES AND
WILDLIFE, DEPARTMENT OF

Fish and Wildlife -
Central
Administrative Services
Unallocated

\$392,489

\$1,308,299

Amounting to \$392,489 for
the fiscal year ending
June 30, 1984, and
\$1,308,299 for the fiscal
year ending June 30, 1985.

Sec. 17. Reduction of revenue. In the event that actual revenue fails to equal estimates during either year of the biennium, the commissioner shall so report to the Governor and he may temporarily curtail allotments so that expenditures will not exceed the anticipated income.

Sec. 18. Revenue in excess of estimates. Actual revenue, in excess of that estimated and approved by the Legislature, received in either year of the biennium may be utilized by the department for current programs when recommended by the commissioner and the allotment of these funds is approved by the Governor.

Sec. 19. Unencumbered allocated balances. At the end of each year of the biennium, all unencumbered allocated balances, including existing balances, representing inland fisheries and wildlife moneys shall be set aside in a separate account and may be used for other current programs when recommended by the commissioner and the allotment of these funds is approved by the Governor.

Sec. 20. Deappropriation. On the effective date of sections 1 and 15, any outstanding balances appropriated to pay for rental of the Department of Inland Fisheries and Wildlife facilities shall lapse to the General Fund.

Sec. 21. Effective date. Except for section 1, this Act shall take effect on January 1, 1984.

Effective January 1, 1984, unless otherwise indicated.