

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

Chapters 1-542

PUBLISHED BY THE REVISOR OF STATUTES  
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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Twin City Printery  
Lewiston, Maine  
1987

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**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION  
of the  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
1987

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**AN ACT to Provide Complimentary Archery Licenses and Muzzle-loading Hunting Licenses to Residents Over 70 Years of Age.**

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

**Sec. 1.** 12 MRSA §7076, sub-§1, as amended by PL 1983, c. 797, §3, is further amended to read:

1. Residents over 70 years of age. A complimentary license to hunt, trap or fish, including an archery license under section 7102, and a muzzle-loading hunting license under section 7107-A, shall be issued to any resident of Maine who is 70 years of age or older and applies for it to the commissioner. The application shall be accompanied by a birth certificate or other certified evidence of the applicant's date of birth and residency. Each license issued under this subsection shall remain valid through December 31st of the 2nd complete calendar year following the year of issuance.

**Sec. 2.** 12 MRSA §7102, sub-§6, as enacted by PL 1985, c. 91, §2 is repealed.

Effective September 29, 1987.

**CHAPTER 351**

**H.P. 502 — L.D. 674**

**AN ACT to Reduce the Fee for a Trapper's License for Servicemen Stationed in the State.**

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

12 MRSA §7071, sub-§4, as amended by PL 1981, c. 414, §8, is further amended to read:

4. Servicemen permanently stationed in Maine. The following persons are eligible for any trapping, fishing, hunting or combination fishing and hunting license or permit at the resident fee and shall have the same privileges as Maine residents in regard to trapping, hunting and fishing:

A. Any person serving in the Armed Forces of the United States who is permanently stationed at a military or naval post, station or base in the State; and

B. The spouse and children of that person, provided that the spouse and children permanently reside with that person.

Such a member of the Armed Forces desiring a trapping, hunting, fishing or combination license or permit shall present certification from the commander of his post, station or base, or from the commander's designated agent, that the person mentioned in the certificate is perma-

nently stationed at that post, station or base. Licenses and permits shall be issued by the clerk or agent of the town in which that military or naval post, station or base is situated.

Effective September 29, 1987.

**CHAPTER 352**

**H.P. 367 — L.D. 481**

**AN ACT to Extend Certain Privileges to Disabled American Veterans.**

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

**Sec. 1.** 12 MRSA §7076, sub-§4-A is enacted to read:

4-A. Resident disabled veterans. A complimentary license to hunt or fish, or a combination hunting and fishing license and, if requested, a pheasant hunting permit, shall be issued to any resident of the State who:

A. Is a veteran, as defined in Title 37-A, section 28;

B. Has a service-connected disability evaluated at 100%; and

C. Applies for that license to the commissioner.

This application shall be accompanied by evidence satisfactory to the commissioner that the applicant meets the requirements of this subsection. Each license issued under this subsection shall remain valid through December 31st of the 2nd complete calendar year following the year of issuance.

**Sec. 2.** 29 MRSA §252-A, first ¶, as enacted by PL 1979, c. 371, §1, is amended to read:

The Secretary of State on application and upon evidence of payment of the excise tax required by Title 36, section 1482 shall issue a registration certificate and set of special designating plates to be used in lieu of regular registration plates to any 100% disabled veteran ~~who served in the United States Armed Forces in a combat zone at any time during his tenure of service~~ when that application is accompanied by certification from the Veterans Administration as to the veteran's disability and receipt of 100% service-connected benefits ~~and a copy of the appropriate military form certifying combat duty service.~~

Effective September 29, 1987.

**CHAPTER 353**

**S.P. 474 — L.D. 1437**

**AN ACT to Regulate Motor Vehicles on Lakes, Ponds or Reservoirs Used to Supply Drinking Water.**

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

Sec. 1. 22 MRSA §2649 is enacted to read:

§2649. Protection of public water supplies over winter

1. Petition for rules. Any water utility, water district or municipality which relies on surface water for its water supply may petition the Commissioner of Inland Fisheries and Wildlife to promulgate rules to regulate the size and range of motor vehicles which may be permitted on the ice of any reservoir or surface water which is used as a public water supply. The petitioner must supply the technical information in support of the decision. The commissioner shall promulgate only such rules as are reasonable and necessary to protect the public water supply. These rules shall be promulgated in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, after a public hearing in the affected area.

2. Existing rules. Any rules that are adopted must be at least as strict as those already in existence for that body of water. Nothing in this section may be construed to limit in any way the authority of the municipal officers to enact ordinances under Title 30, section 2151, subsection 7, or any private and special law granting a water utility or municipality greater control for protecting its public water supply than those set forth in this section.

3. Violation. Any violation of the rules promulgated under this section is a civil violation for which a forfeiture of not more than \$100 may be adjudged for each violation.

Sec. 2. Allocation. The following funds are allocated from Dedicated Revenues of the Department of Inland Fisheries and Wildlife to carry out the purposes of this Act.

	1987-88	1988-89
<u>INLAND FISHERIES AND WILDLIFE,</u>		
<u>DEPARTMENT OF</u>		
Office of the Commissioner		17
All Other	\$1,200	\$1,200

This allocation provides funds for anticipated expenses related to the promulgation of rules.

Effective September 29, 1987.

**CHAPTER 354**

H.P. 914 — L.D. 1226

**AN ACT to Require Archery Hunter Training.**

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

Sec. 1. 12 MRSA §7102, sub-§§7 and 8 are enacted to read:

7. Archery hunter training program requirements. Any person who applies for an archery hunting license, other than a junior license, shall submit proof of having successfully completed an education course of the type described in subsection 8 and approved by the commissioner, or satisfactory evidence of having previously held an adult archery hunting license in this State or any other state, province or country in any year after 1977, or having successfully completed a hunter safety course as provided in section 7035, subsection 10.

When proof or evidence cannot otherwise be provided, the person may substitute a signed affidavit that he has previously held the required adult archery hunting license or that he has successfully completed the required archery hunter education course.

8. Archery hunter education program established. The commissioner shall establish a program for training individuals in safe and responsible archery hunting skills and behavior. This program shall include instruction in fisheries and wildlife laws, rights of landowners and hunters and appropriate principles of wildlife management. The commissioner may charge an enrollment fee of up to \$10 per person to help defray the costs of this program. The commissioner may cooperate with any public or private association dedicated to responsible and safe archery hunting to establish this program.

In establishing the program, the commissioner shall:

- A. Prescribe the qualifications of instructors;
- B. Provide liability insurance for each instructor authorized by the commissioner to conduct these programs protecting him from liability for damages during the time when instruction is being given. The cost of this insurance shall be borne by the State and shall be a charge against the funds credited to the department;
- C. Prescribe the type and length of instruction and the time and place of examinations; and
- D. Issue a certificate of competency to individuals who successfully complete the examination.

This subsection shall take effect January 1, 1989.

Sec. 2. Allocation. The following funds are allocated from dedicated revenues to the Department of Inland Fisheries and Wildlife.