

# 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 electronic originals  
(may include minor formatting differences from printed original)

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

**AS PASSED BY THE**

**ONE HUNDRED AND EIGHTEENTH LEGISLATURE**

**SECOND REGULAR SESSION**  
**January 7, 1998 to March 31, 1998**

**SECOND SPECIAL SESSION**  
**April 1, 1998 to April 9, 1998**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 30, 1998**

**SECOND SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 9, 1998**

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

---

---

**J.S. McCarthy Company**  
**Augusta, Maine**  
**1997**

(4) Dams;

**Sec. 20. 15 MRSA §1025**, as amended by PL 1995, c. 356, §4, is further amended to read:

**§1025. Law enforcement officers**

A law enforcement officer making a warrantless arrest under Title 17-A, section 15 may, without fee, take the personal recognizance of any defendant for appearance on a charge of a Class D or Class E crime. If authorized, a law enforcement officer may, without fee, take the personal recognizance with deposit in accordance with Title 12, section ~~675~~ 1886; Title 12, section 7053, subsection 2, paragraph C; and Title 12, section 9707. The law enforcement officer's authority under this section continues as long as the arrestee remains in the officer's custody.

**Sec. 21. 25 MRSA §2801-B, sub-§1, ¶B**, as amended by PL 1989, c. 936, §2 and PL 1995, c. 502, Pt. E, §30, is further amended to read:

B. Agents or representatives of the Department of Conservation, Bureau of Parks and Lands, whose law enforcement powers are limited to those specified in Title 12, section ~~602~~, ~~subsection 5~~ 1821; or

**Sec. 22. 36 MRSA §1503, sub-§1-A**, as enacted by PL 1983, c. 572, §§6 and 12, is amended to read:

**1-A. Canoe.** "Canoe" has the same definition as that set out in Title 12, section ~~662~~ 1872, subsection 4 2.

**Sec. 23. 38 MRSA c. 1, sub-c. VIII**, as amended, is repealed.

See title page for effective date.

---



---

**CHAPTER 679**

**H.P. 304 - L.D. 368**

**An Act to Allow the Department of  
Inland Fisheries and Wildlife to  
Create Lifetime Fishing and Hunting  
Licenses**

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

**Sec. 1. 12 MRSA c. 707, sub-c. IV-A** is enacted to read:

**SUBCHAPTER IV-A**

**LIFETIME LICENSES**

**§7161. Resident lifetime licenses**

**1. Infants and seniors.** The following resident lifetime licenses may be purchased on and after January 1, 2000:

**A. For a resident who is less than 6 years of age:**

(1) A resident lifetime infant fishing license. The fee for a resident lifetime infant fishing license is \$150;

(2) A resident lifetime infant hunting license. The fee for a resident lifetime infant hunting license is \$150; and

(3) A resident combination lifetime infant fishing and hunting license. The fee for a resident combination lifetime infant fishing and hunting license is \$250; and

**B. For a resident who is 65 years of age or older:**

(1) A resident lifetime senior fishing license. The fee for a resident lifetime senior fishing license is \$50;

(2) A resident lifetime senior hunting license. The fee for a resident lifetime senior hunting license is \$50; and

(3) A resident combination lifetime senior fishing and hunting license. The fee for a resident combination lifetime senior fishing and hunting license is \$80.

A person must be a resident to purchase a resident lifetime license under this section. Once purchased, a resident lifetime license is valid for the life of the holder without regard to subsequent changes in the legal residence of the holder. The license entitles the holder to all fishing or hunting privileges extended to residents of that same age who hold the equivalent annual license and subjects the holder to all limitations and prerequisites on those fishing or hunting privileges that apply to residents of that same age who hold the equivalent annual license.

Revenue from the sale of lifetime licenses is dedicated revenue and must be deposited in the Lifetime License Fund established in this subchapter. The department may establish payment procedures for licenses under this section; a license may not be issued until full payment is received.

Notwithstanding any other provision of this section, if the commissioner determines that the sale of lifetime licenses for persons 65 years of age or older will result in a loss of license revenue to the department in any fiscal year, the commissioner shall withhold from deposit to the fund an amount necessary to avoid that loss in revenue. Money

withheld under this paragraph may be withheld only from revenue from the sale of lifetime licenses to persons 65 years of age or older. This paragraph is repealed on July 1, 2010.

**§7162. Lifetime privileges to be honored**

A lifetime license issued under this subchapter is valid for the life of the license holder unless lawfully suspended or revoked by the commissioner for a violation of fish and wildlife laws under chapters 701 to 721. The Legislature may not otherwise act in any way to limit or end the right of a person holding a lifetime license to the lifetime enjoyment of all the rights and privileges authorized by that license.

**§7163. Lifetime License Fund; establishment; management**

The Lifetime License Fund, referred to in this section as the "fund," is established in the department to accept all revenue derived from the sale of lifetime licenses. The Treasurer of State shall administer the fund and shall invest the fund, subject to the limitations of this section, for growth and income in a manner consistent with the Treasurer of State's fiduciary responsibilities. Money in the fund may not be expended for any purpose except as provided in this subchapter.

**1. Treasurer of State.** The Treasurer of State shall contract with investment firms as necessary to manage the fund; may agree to the payment of reasonable management fees to those firms, using money in the fund; and may direct those firms to purchase or sell investment opportunities as necessary to prudently manage the fund. The Treasurer of State annually may reimburse the State for costs incurred to oversee the fund from earnings of the fund.

**2. Commissioner.** The commissioner may accept donations to the fund but may not use any principal or earnings of the fund except upon the approval of the Treasurer of State and for the purposes set forth in this subchapter.

**3. Uses of the fund.** Prior to July 1, 2010, the Treasurer of State continuously shall reinvest all earnings of the fund and may not authorize any payments from the fund or use any earnings of the fund, except those necessary to pay the costs of administering the fund. On July 1, 2010, and on July 1st of each year thereafter, the Treasurer of State shall transfer to the department an amount equal to 5 percent of the fund principal. Additional interest earned by the fund, if any, must be reinvested. All funds received from the department under this subchapter are subject to allocation by the Legislature.

**4. Report.** The Treasurer of State shall report quarterly to the commissioner and to the joint standing

committee of the Legislature having jurisdiction over inland fisheries and wildlife matters on the status of the fund, including the sources and amount of revenue deposited into the fund, interest earnings and payments from the fund.

See title page for effective date.

---



---

**CHAPTER 680**

**H.P. 1124 - L.D. 1580**

**An Act to Improve Allopathic and Osteopathic Physician Oversight**

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

**PART A**

**Sec. A-1. 10 MRSA §8003, sub-§5, ¶E** is enacted to read:

E. The bureau, office, board or commission may issue letters of guidance or concern to a licensee or registrant. Letters of guidance or concern may be used to educate, reinforce knowledge regarding legal or professional obligations and express concern over action or inaction by the licensee or registrant that does not rise to the level of misconduct sufficient to merit disciplinary action. The issuance of a letter of guidance or concern is not a formal proceeding and does not constitute an adverse disciplinary action of any form. Notwithstanding any other provision of law, letters of guidance or concern are not confidential. The bureau, office, board or commission may place letters of guidance or concern, together with any underlying complaint, report and investigation materials, in a licensee's or registrant's file for a specified amount of time, not to exceed 10 years. Any letters, complaints and materials placed on file may be accessed and considered by the bureau, office, board or commission in any subsequent action commenced against the licensee or registrant within the specified time frame. Complaints, reports and investigation materials placed on file are confidential.

**PART B**

**Sec. B-1. 32 MRSA §2562, 3rd ¶,** as amended by PL 1993, c. 600, Pt. A, §170, is further amended to read:

The board has the duty and the power to annually determine the salary of the secretary-treasurer, not to exceed \$6,000. The board has the power to employ, fix the salary of and prescribe the