

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTIETH LEGISLATURE
FIRST REGULAR SESSION
December 6, 2000 to June 22, 2001

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FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
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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
2001

surrounding lands to the grade and condition existing prior to entry, if economically feasible.

See title page for effective date.

CHAPTER 191

H.P. 350 - L.D. 440

An Act to Exempt from the Definition of "Watercraft" Permanently Affixed Boats

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

Sec. 1. 12 MRSA §7791, sub-§14, as enacted by PL 1979, c. 420, §1, is amended to read:

14. Watercraft. "Watercraft" means any type of vessel, boat, canoe or craft capable of being used as a means of transportation on water, other than a seaplane, including motors, electronic and mechanical equipment and other machinery, whether permanently or temporarily attached, and which are customarily used in the operations of the watercraft. "Watercraft" does not include a vessel, boat, canoe or craft located and intended to be permanently docked in one location and not used as a means of transportation on water.

See title page for effective date.

CHAPTER 192

S.P. 383 - L.D. 1280

An Act Concerning the Enforcement of Laws Relating to Scallop in Cobscook Bay

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

Sec. 1. 12 MRSA §6728 is enacted to read:

§6728. Limits in Cobscook Bay

1. Daily limit; rules. In the coastal waters northerly and inshore of the international bridge that connects Lubec to Campobello Island, New Brunswick, Canada, it is unlawful to fish for, take or possess more than 15 gallons of scallop meat per day. Under this subsection it is unlawful to unload any portion of a day's catch and return to fishing. The department shall establish by rule a bushel limit of shellstock that is equivalent to 15 gallons of meat. The department shall also establish by rule a method to allow harvesters to land and possess scallops in Cobscook Bay that are taken outside the area defined in this subsection.

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

2. Culling required. In the coastal waters northerly and inshore of the international bridge that connects Lubec to Campobello Island, New Brunswick, Canada, it is unlawful to possess, ship, transport, buy or sell scallops that are less than 3 1/2 inches in the longest diameter. Those scallops that are less than 3 1/2 inches must be immediately liberated. It is prima facie evidence of possession of illegal scallops if a vessel contains scallops less than 3 1/2 inches while a scallop boat license holder or crew member is shucking scallops.

3. Violation. A person who violates this section commits a civil violation. The following penalties apply:

A. For the first offense, a forfeiture of \$250 is imposed and all scallops on board may be seized; and

B. For each subsequent offense, a forfeiture of \$250 is imposed, all scallops on board may be seized and the scallop boat license may be suspended for one year.

See title page for effective date.

CHAPTER 193

S.P. 247 - L.D. 815

An Act to Foster the Survival of Maine Small Businesses in Snowmobile and ATV Sales

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

Sec. 1. 12 MRSA §7821, sub-§2-A is enacted to read:

2-A. New snowmobile. "New snowmobile" means a snowmobile that has not been registered in this State or any other state or for which sales tax has not been paid in this State or any other state.

Sec. 2. 12 MRSA §7827, sub-§28 is enacted to read:

28. Unlawful sale of new snowmobile. A person is guilty of an unlawful sale of a new snowmobile if that person sells more than 2 new snowmobiles per year and does not possess a franchise agreement or contract with a snowmobile manufacturer and a dealer's license.