

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 1, 2004 to March 30, 2005**

**FIRST SPECIAL SESSION**  
**April 4, 2005 to June 18, 2005**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 29, 2005**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 17, 2005**

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

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2005**

## CHAPTER 95

S.P. 154 - L.D. 528

**An Act To Exempt Insurers of  
Commercial Vehicle Fleets from the  
Requirement of Notification to the  
Secretary of State When Insurance Is  
Cancelled**

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

**Sec. 1. 29-A MRSA §1601-A, sub-§6** is enacted to read:

**6. Fleet insured with commercial automobile coverage.** A company insuring a fleet of 3 or more vehicles with commercial fleet automobile coverage is exempt from the requirements of this section with respect to that fleet.

For the purposes of this subsection, "commercial automobile coverage" means any coverage provided to an insured, regardless of number of vehicles or entity covered, under a commercial automobile, garage or truckers coverage form and rated according to either a commercial manual or a rating rule as filed with and approved by the Bureau of Insurance. Vehicle type and ownership are not the primary factors in either underwriting the coverage or rating the coverage. The rating may be subject to individual risk characteristics, including, but not limited to, experience rating, schedule rating, loss rating and deductible rating.

See title page for effective date.

## CHAPTER 96

H.P. 420 - L.D. 565

**An Act To Amend the Law  
Regarding Fishing Derbies**

**Emergency preamble.** Whereas, acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** students may not be able to obtain adequate funding for the upcoming academic school year unless this bill takes effect in time to allow academic fishing derbies to take place during this year's open-water fishing season; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 12 MRSA §12504, sub-§1,** as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

**1. Permit required.** Except as provided in ~~section~~ sections 12504-A and 12505, a person may not conduct a fishing derby or fishing tournament without a valid permit issued under this section.

Each day a person violates this subsection, that person commits a Class E crime for which a minimum fine of \$50 and an amount equal to twice the applicable license fee must be imposed.

**Sec. 2. 12 MRSA §12504-A** is enacted to read:

**§12504-A. Fishing derby permits for educational institutions**

**1. Permit required.** A person may not conduct a fishing derby held by an educational institution that awards prizes in excess of \$10,000 for a single fishing derby without a permit issued under this section. For purposes of this section, "educational institution" means an accredited postsecondary educational institution incorporated, chartered or established under the laws of the State.

Each day a person violates this subsection, that person commits a Class E crime for which a minimum fine of \$50 and an amount equal to twice the applicable license fee must be imposed.

**2. Application.** An educational institution seeking approval to conduct a fishing derby pursuant to this section must submit an application to the commissioner in a manner and form to be designated by the commissioner. The application must include the educational institution's derby rules, any amendments or changes to the rules and a schedule of the dates, places and times of the proposed derby. The department shall accept applications after January 1st annually for derbies to be held during that year and process those applications in the order of receipt.

**3. Restrictions and requirements.** The following restrictions and requirements apply to permits issued under this section.

**A.** Rules adopted by the commissioner pursuant to section 12504 are applicable to permits issued under this section, except rules limiting the cash value of prizes or concerning an ice fishing derby.

**B.** A fishing derby may be conducted only in bodies of water free of ice.