

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

FIRST REGULAR SESSION
December 6, 2006 to June 21, 2007

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 20, 2007

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

Penmor Lithographers
Lewiston, Maine
2007

A. For a watercraft requiring or whose owner requests a certificate of number and that is equipped with a motor having a manufacturer's horsepower rating of:

(1) Ten horsepower or less, the fee is \$20 for operating on inland waters of the State and \$10 for operating only on tidal waters of the State;

(2) Greater than 10, but not more than 50 horsepower, the fee is \$25 for operating on inland waters of the State and \$15 for operating only on tidal waters of the State; and

(3) Greater than 50 horsepower but not more than 115 horsepower, the fee is \$31 for operating on inland waters of the State and \$21 for operating only on tidal waters of the State.

Sec. 3. 12 MRSA §13056, sub-§8, ¶B, as amended by PL 2005, c. 12, Pt. III, §38, is further amended to read:

B. For a personal watercraft requiring or whose owner requests a certificate of number and watercraft equipped with a motor having a manufacturer's horsepower rating of 115 horsepower or greater, the fee is \$39 for operating on inland waters of the State and \$29 for operating only on tidal waters of the State.

Sec. 4. 12 MRSA §13058, sub-§1, as amended by PL 2005, c. 477, §25, is further amended to read:

1. Prohibition. A person exempt from the certificate of number requirement pursuant to section 13056, subsection 2, paragraph B may not place or operate a motorboat or personal watercraft on the inland waters of the State unless a valid lake and river protection sticker issued annually under subsection 3 is permanently affixed to each side of the bow above the water line and approximately 3 inches behind the validation sticker required under section 13056. This sticker is nontransferable.

Sec. 5. 12 MRSA §13058, sub-§3, as affected by PL 2003, c. 614, §9 and amended by c. 655, Pt. B, §364 and affected by §422, is further amended to read:

3. Nonresident lake and river protection sticker; fee. No later than January 1st of each year, the commissioner shall provide each agent authorized to register watercraft or issue licenses with a sufficient quantity of lake and river protection stickers for motorboats and personal watercraft not registered in the State for that boating season. The sticker must be in 2 parts so that one part of the sticker can be affixed to each side of the bow of a motorboat or personal watercraft not registered in the State. The fee for a sticker is \$20 for a motorboat or personal watercraft not registered in the State and \$10 for a motorboat or personal watercraft registered in the State. Each agent shall

retain \$1 for each sticker sold by that agent for which a fee is required. A motorboat or a personal watercraft owned by the Federal Government, a state government or a municipality is exempt from the fee established in this subsection.

Sec. 6. Appropriations and allocations.

The following appropriations and allocations are made.

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

Licensing Services - Inland Fisheries and Wildlife 0531

Initiative: Incorporating lake and river protection sticker fees into watercraft registration fees will result in Other Special Revenue Funds savings to the Department of Inland Fisheries and Wildlife. Beginning in fiscal year 2007-08, the estimated annual savings in printing and mailing costs will be \$46,000.

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
All Other	(\$46,000)	(\$46,000)
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OTHER SPECIAL REVENUE FUNDS TOTAL	(\$46,000)	(\$46,000)

See title page for effective date.

CHAPTER 45

H.P. 386 - L.D. 503

An Act Regarding the Authority of the Commissioner of Inland Fisheries and Wildlife To Issue Licenses to Beagle Clubs To Trap Snowshoe Hares

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

Whereas, it is important to clarify as soon as possible the authority of the Commissioner of Inland Fisheries and Wildlife to issue licenses as described in this legislation; 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 §12261 is enacted to read:
§12261. Beagle clubs; trapping snowshoe hares

The commissioner may issue a license to an organization recognized as a beagle club by the commissioner to take live snowshoe hares.

1. License required. Except as otherwise authorized pursuant to this Part, a beagle club may not trap a snowshoe hare without a valid license issued under this section.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 or more than \$500 may be adjudged.

B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

2. Traps labeled and checked daily. A beagle club may not set a trap for a snowshoe hare unless that trap is plainly labeled with the name of the beagle club and the telephone number of a contact person and is checked at least once every calendar day.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 or more than \$500 may be adjudged.

B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

3. Use of snowshoe hares. A snowshoe hare trapped pursuant to this section may not be used for anything other than to stock the running areas of the licensee and may not be given to any other beagle club or entity.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 or more than \$500 may be adjudged.

B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

4. Transport out of State. A snowshoe hare trapped pursuant to this section may not be transported out of the State.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 or more than \$500 may be adjudged.

B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

5. Trapping season for snowshoe hares. A beagle club may not trap for snowshoe hares except between September 1st and April 30th of each calendar year.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 or more than \$500 may be adjudged.

B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

6. Cottontail rabbits. A beagle club may not keep and must release immediately a cottontail rabbit caught in a trap.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 or more than \$500 may be adjudged.

B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

7. Reporting of trapped cottontail rabbits. As a condition of licensure under this section, a beagle club shall file with the department no later than July 1st of each calendar year a report of cottontail rabbits trapped pursuant to this section.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective April 12, 2007.

CHAPTER 46

S.P. 187 - L.D. 596

**An Act To Repeal the Laws
Governing Long-term Foster
Care**

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

Sec. 1. 22 MRSA §4064, as amended by PL 1997, c. 39, §1, is repealed.

See title page for effective date.
