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An Act To Prohibit Municipalities from Imposing Fees on Ice Fishing Shacks

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

Whereas, this legislation needs to take effect before the expiration of the 90-day period in order to apply to the upcoming ice 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 §13201, sub-§3, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

3. Ice fishing shacks. The enactment of any ordinance regulating ice fishing shacks on:

A. Sources of public water supply as provided under Title 22, section 2642 except that a municipality or political subdivision of the State may not enact any ordinance, law or rule imposing a tax or fee on ice fishing shacks on sources of public water supply; or

B. Coastal waters as defined in section 6001, subsection 6 except that a municipality or political subdivision of the State may not enact any ordinance, law or rule imposing a tax or fee on ice fishing shacks on coastal waters.

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

SUMMARY

This bill prohibits a municipality or political subdivision of the State from enacting any ordinance, law or rule imposing a tax or fee on ice fishing shacks on sources of public water supply and on coastal waters. Current law prohibits a municipality or political subdivision of the State from enacting any ordinance, law or rule imposing a tax or fee on ice fishing shacks on other waters in this State.