

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 2489

H. P. 1954 House of Representatives, February 7, 1974
Reported by Mr. Gauthier from the Committee on Judiciary and printed
under Joint Rules No. 18.

E. LOUISE LINCOLN, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FOUR

**AN ACT Relating to Certified Copy of Regulations Promulgated by
Commissioner of Inland Fisheries and Game as Evidence.**

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

Sec. 1. R. S., T. 12, § 1960, amended. Section 1960 of Title 12 of the Revised Statutes, as amended, is further amended by repealing the last sentences of the 6th and 8th paragraphs as follows:

~~The commissioner shall file a certified copy of said regulations with the Secretary of State and with the clerk of the Superior Court of the county in which the waters affected are situated.~~

~~A certified copy of the regulations shall be filed with the Secretary of State and with the clerk of the Superior Court in the county in which the water is situated.~~

Sec. 2. R. S., T. 12, § 1960-A, amended. The last sentences of the 6th and 7th paragraphs of section 1960-A of Title 12 of the Revised Statutes, as enacted by section 2 of chapter 231 of the public laws of 1971, are repealed as follows:

~~He shall file a certified copy of said regulations with the Secretary of State and with the clerk of the Superior Court of each county.~~

~~A certified copy of the regulations shall be filed with the Secretary of State and with the clerk of the Superior Court of each county.~~

Sec. 3. R. S., T. 12, § 1961-A, additional. Title 12 of the Revised Statutes is amended by adding a new section 1961-A to read as follows:

§ 1961-A. Filing of regulations

The commissioner shall file timely certified copies of all regulations and rulings promulgated by him and any and all amendments thereto having state-wide application that concern in any way the regulation of the taking and possessing of fish and game, including, but not limited to, the determination of the seasons therefor and any changes therein, with the Secretary of State and with the clerks of each and every District Court and Superior Court in the State. In any instances whether regulations or rulings have less than state-wide application, he shall file them with the Secretary of State and with the clerks of those District Courts and Superior Courts located in the counties in which the land or waters affected are situated. The certified copies of the regulations and rulings on file with the clerks of the aforesaid courts and the Secretary of State shall be considered official publications of the State for all purposes, including, but not limited to, the provisions of the Maine Rules of Civil Procedure, Rule 44 (a) (1) and the Maine Rules of Criminal Procedure, Rule 27, and judicial notice thereof shall be taken accordingly.

Sec. 4. R. S., T. 12, § 2352, amended. The next to the last sentence of the 3rd paragraph of section 2352 of Title 12 of the Revised Statutes, as last repealed and replaced by section 2 of chapter 71 of the public laws of 1971, is repealed as follows:

~~The commissioner shall file a certified copy of the regulations with the clerks of the Superior and District Courts of the State and with the Secretary of State.~~