

MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 2275
6

7 H.P. 1716

House of Representatives, March 15, 1984

8 Submitted by the Department of Inland Fisheries and Wildlife pursuant
9 to Joint Rule 24.

10 Referred to the Committee on Fisheries and Wildlife. Sent up for
concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative MacEachern of Lincoln.

11 Cosponsors: Representative Kelly of Camden, Senator Dow of Kennebec
and Representative Erwin of Rumford.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FOUR
16

17 AN ACT to Allow for a Uniform Citation
18 Form to be Used for Fish and Wildlife
19 Violations.
20

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

23 12 MRSA §7911 is enacted to read:

24 §7911. Fish and wildlife citation form

25 1. Form. The commissioner may establish citation
26 forms for use by the warden service. These forms, if
27 established, shall be uniform throughout the State
28 and shall be issued in books with citations in not
29 less than quadruplicate.

30 2. Responsibility for issuance and disposition.

31 A. The commissioner shall be responsible for all
32 fish and wildlife citation forms.

1 B. The commissioner may in his discretion pro-
2 vide books to other law enforcement agencies and
3 officers listed in section 7055 for their use in
4 the enforcement of chapters 701 to 721. The com-
5 missioner may not require other agencies to use
6 this form.

7 3. Illegal disposition; prohibited act. It is
8 unlawful and official misconduct for any warden or
9 other public employee to dispose of an official cita-
10 tion form, except in accordance with law and as pro-
11 vided for in any applicable official policy or proce-
12 cedure of the Warden Service Division.

13 4. When a lawful complaint. If the citation pro-
14 vided for in this section is duly sworn to and other-
15 wise satisfies the requirements of the general laws
16 of this State, in respect to the form of a complaint
17 and charges an offense, it may be filed in a court
18 having jurisdiction and shall constitute a lawful
19 complaint for the purpose of the commencement of any
20 criminal prosecution or civil violation proceeding.

21 5. When a lawful summons. A citation, as pro-
22 vided for in this section, when served upon a person
23 by a law enforcement officer, shall act as a summons
24 to appear in court or, if a civil violation is
25 charged, to otherwise respond in accordance with law
26 on or before the date specified in the citation.

27 6. Refusal to sign; prohibited act. No person
28 may refuse to sign a citation after having been or-
29 dered to do so by a law enforcement officer.

30 STATEMENT OF FACT

31 This bill allows game wardens to establish and
32 use a citation form for fish and wildlife violations
33 similar to the uniform traffic ticket now used for
34 traffic offenses.

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