

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1284

H.P. 918

House of Representatives, April 24, 1989

Reference to the Committee on Fisheries and Wildlife suggested and ordered printed.

Ed Pert

EDWIN H. PERT, Clerk

Presented by Representative ROTONDI of Athens.

Cosponsored by Representative SMITH of Island Falls, Representative JACQUES of Waterville and Senator ERWIN of Oxford.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-NINE

**An Act to Increase the Penalties for Selling Game and Make Them
Uniform.**



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

3 **Sec. 1. 12 MRSA §7901, sub-§2**, as amended by PL 1987, c. 89,
5 §1, is further amended to read:

7 2. Class D crimes. A violation of section 7406, subsection
9 1, as it applies to deer; of section 7406, subsection 5; of
11 section 7406, subsection 10, when the wild animal or bird was
13 taken in violation of section 7406, subsection 5; of section
15 7458, subsection 1, or 2 ex-3; or of section 7464, subsection 1,
17 or 2 ex-8, is a Class D crime, provided that the convicted
19 person shall be imprisoned for not less than 3 days for the first
21 offense and for not less than 10 days for each succeeding
23 offense, this imprisonment not to be suspended, and shall be
25 fined not less than \$1,000, this fine not to be suspended.

17 **Sec. 2. 12 MRSA §7901, sub-§2-A**, as enacted by PL 1987, c. 89,
19 §2, is amended to read:

21 2-A. Bear. A violation of section 7406, subsection 1, as
23 it applies to bear, or section 7452, subsection 3, or 4 ex-9 is a
25 Class D crime. A convicted person shall be imprisoned for not
27 more than 180 days and shall be fined not less than \$1,000. This
29 fine is not to be suspended.

27 **Sec. 3. 12 MRSA §7901, sub-§3**, as enacted by PL 1979, c. 420,
29 §1, is amended to read:

31 3. Fish. A violation of any of the acts prohibited in
33 chapter 711, subchapter III, fishing violations, is a Class E
35 crime, ~~except that in addition to any penalty which the court~~
37 ~~might impose~~ as provided in subsection 13. In addition to any
39 penalty the court may impose under this subsection or subsection
41 13, a convicted person shall be fined \$5 for each fish illegally
43 possessed, this fine not to be suspended.

37 **Sec. 4. 12 MRSA §7901, sub-§8**, as amended by PL 1987, c. 89,
39 §5, is further amended to read:

41 8. Wild turkey. A violation of section 7469, subsection 1,
43 or 2 ex-9 is a Class E crime. A convicted person shall be fined
45 not less than \$500 and this fine is not to be suspended. In
47 addition, a convicted person shall be fined \$500 for each turkey
49 illegally possessed or killed and this fine is not to be
51 suspended.

47 **Sec. 5. 12 MRSA, §7901, sub-§13** is enacted to read:

49 13. Selling or buying game. Selling or buying game is a
51 Class D crime. A convicted person shall be imprisoned for not
 less than 10 days for a first offense and not less than 20 days
 for each succeeding offense, this imprisonment not to be

1 suspended, and shall be fined not less than \$1,000, this fine not
3 to be suspended.

5 A person is guilty of selling or buying game if that person:

7 A. Buys or sells bear in violation of section 7452,
9 subsection 9;

11 B. Sells wild birds in violation of section 7456,
13 subsection 5;

15 C. Buys or sells deer in violation of section 7458,
17 subsection 3;

19 D. Buys or sells moose in violation of section 7464,
21 subsection 8;

23 E. Buys or sells wild turkey in violation of section 7469,
25 subsection 9; or

27 F. Purchases, sells or imports fish in violation of section
29 7615 or 7616.

STATEMENT OF FACT

This bill standardizes the penalties for illegally buying or
selling game.