

# MAINE STATE LEGISLATURE

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R. of S.

L.D. 442

(Filing No. H- 197 )

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
116TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 339, L.D. 442, Bill, "An Act to Require Removal of Ice Fishing Shacks from Private Property"

Amend the bill by striking out the title and substituting the following:

'An Act to Require Removal of Ice-fishing Shacks from Private and Public Property'

Further amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 12 MRSA §7001, sub-§16-A is enacted to read:

16-A. Ice-fishing shack. "Ice-fishing shack" means a temporary structure used for ice fishing on frozen inland waters.

Sec. 2. 12 MRSA §7627-B is enacted to read:

§7627-B. Removal of abandoned ice-fishing shacks

Notwithstanding the provisions of Title 33, chapter 37, a landowner on whose property an ice-fishing shack is left in violation of Title 17, section 2264 may remove or destroy the shack. The landowner may recover any costs of removing or destroying the shack from the owner of the shack in a civil action.

Sec. 3. 17 MRSA §2263, sub-§1-D is enacted to read:

1-D. Abandoned ice-fishing shack. "Abandoned ice-fishing shack" means a temporary structure used for ice fishing and left on property not owned by the person owning the structure without permission of the landowner for more than 15 days after the inland waters on which the shack or structure was located are closed to ice fishing.

COMMITTEE AMENDMENT

H. of S.

2 Sec. 4. 17 MRSA §2263, sub-§2, as amended by PL 1973, c. 194,  
is further amended to read:

4 2. Litter. "Litter" means all waste materials including,  
6 but not limited to, any bottles, glass, crockery, cans, scrap  
metal, junk, paper, garbage, rubbish, offal, feathers, except  
8 feathers from live birds while being transported, abandoned  
ice-fishing shacks, old automobiles or parts thereof, of  
10 automobiles or similar refuse, or disposable packages or  
containers thrown or deposited as prohibited in this chapter, but  
12 not including the wastes of the primary processes of mining,  
logging, sawmilling, farming or manufacturing.

14 **FISCAL NOTE**

16 The additional workload and administrative costs associated  
18 with the minimal number of new cases filed in the court system  
can be absorbed within the budgeted resources of the Judicial  
20 Department. The collection of additional fines may increase  
General Fund revenues by a minor amount.

22 The Department of Inland Fisheries and Wildlife will incur  
24 some minor additional costs to administer the requirements for  
abandoned ice-fishing shacks. These costs can be absorbed within  
26 the department's existing budgeted resources.

28  
30 **STATEMENT OF FACT**

32 This amendment establishes requirements governing the  
34 treatment of ice-fishing shacks that are left on public or  
private property for more than 15 days after the closure of  
inland waters to ice fishing.

36  
Reported by the Committee on Energy and Natural Resources  
Reproduced and distributed under the direction of the Clerk of the  
House  
4/27/93 (Filing No. H-197)