

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

R. of S.

L.D. 853

(Filing No. S- 120)

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
40
42
44
46
48
50

STATE OF MAINE
SENATE
116TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " A " to S.P. 282, L.D. 853, Bill, "An Act to Amend the Maine Hunting Laws to Prohibit Discharges of Firearms across Paved Ways"

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

'An Act to Amend the Maine Hunting Laws Relating to Hunting from Paved Ways and Discharges of Firearms across Paved Ways'

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 §7406, sub-§7, as amended by PL 1983, c. 440, §10, is further amended to read:

7. Hunting from or across a paved way. A person is guilty of hunting from or across a paved way if he that person hunts any wild animal or wild bird from any paved way or within 10 feet of the edge of the pavement of the paved way or from within the right-of-way of any controlled access highway, ~~except that~~ or discharges any firearm across a paved way. Nothing in this subsection prohibits a person who has a valid permit to carry a concealed weapon ~~may~~ possess from possessing such a weapon provided on or near a paved way as long as it is not used for hunting wild animals or wild birds or discharged in violation of this subsection.

Sec. 2. 12 MRSA §7946, as enacted by PL 1979, c. 420, §1, is amended to read:

§7946. Possession of firearm on paved way

Possession of a loaded firearm ~~within the limits of any~~ on a paved way or within 10 feet of the edge of the pavement of a paved way or within the right-of-way of any controlled access highway, except as provided in section 7406, subsection 7, shall be is prima facie evidence of hunting.

COMMITTEE AMENDMENT

FISCAL NOTE

2
4 This bill expands the scope of an existing law to create a
6 new Class E crime. Sentences imposed for Class E offenses must
8 be served in a county jail. The average cost per sentence for a
10 Class E crime is \$4,188 based upon an average length of stay of
67 days. The additional costs to the counties for the housing of
each offender sentenced under this new crime will not require
reimbursement by the State.

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

18 The additional enforcement costs can be absorbed by the
20 Department of Inland Fisheries and Wildlife utilizing existing
budgeted resources.'

STATEMENT OF FACT

22
24
26 This amendment, which is the majority report of the Joint
28 Standing Committee on Fisheries and Wildlife, strikes and
replaces the bill. The amendment prohibits persons from
30 discharging firearms across paved ways. The amendment also
alters the prohibition on hunting from a paved way. Under
32 current law, it is illegal to hunt from a paved way. Under this
amendment it will be illegal to hunt from a paved way or from
34 within 10 feet of the pavement of a paved way. The amendment
also makes parallel amendments to evidentiary provisions of
36 fisheries and wildlife laws.

38 The amendment also adds a fiscal note to the bill.

Reported by the Majority for the Committee on Fisheries and
Wildlife. Reproduced and Distributed Pursuant to Senate
Rule 12.

(5/6/93)

(Filing No. S-120)