

MAINE STATE LEGISLATURE

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INLAND FISHERIES AND WILDLIFE

Reported by: Senator Kilkelly

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**STATE OF MAINE
SENATE
118TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A " to S.P. 45, L.D. 155, Bill, "An Act to Amend the Laws Regarding Hunting from a Paved Way"

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

'An Act to Amend the Laws Regarding Hunting from a Public Paved Way'

Further amend the bill by striking out all of sections 1 and 2 and inserting in their place the following:

'Sec. 1. 12 MRSA §7406, sub-§7, as amended by PL 1993, c. 212, §1, is further amended to read:

7. Hunting from or across a public paved way. A person is guilty of hunting from or across a public paved way if that person hunts any wild animal or wild bird from any public paved way or within 10 feet of the edge of the pavement of the public paved way or from within the right-of-way of any controlled access highway or discharges any firearm across a public paved way. Nothing in this subsection prohibits a person who has a valid permit to carry a concealed weapon from possessing such a weapon on or near a public 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 amended by PL 1993, c. 212, §2, is further amended to read:

§7946. Possession of firearm on public paved way

P. of S.
2 Possession of a loaded firearm on a public paved way or
3 within 10 feet of the edge of the pavement of a public paved way
4 or within the right-of-way of any controlled access highway,
5 except as provided in section 7406, subsection 7, is prima facie
6 evidence of hunting.'

7 Further amend the bill by inserting at the end before the
8 summary the following:

10 **FISCAL NOTE**

12 This bill may reduce prosecutions for Class E crimes. If
13 jail sentences are reduced, the savings to the counties are
14 estimated to be \$83.78 per day per prisoner. These savings do
15 not affect reimbursement by the State. The reduction in the
16 number of prosecutions that would have resulted in a jail
17 sentence and the resulting savings to the county jail system are
18 expected to be insignificant.

20 The Judicial Department may realize some minor savings from
21 reductions of workload and administrative costs associated with
22 the minimal number of cases that will no longer be filed in the
23 court system. Reductions in the collection of fines may decrease
24 General Fund revenue by minor amounts.

26 The Department of Inland Fisheries and Wildlife will realize
27 some minor savings from reduced enforcement costs.'

30 **SUMMARY**

32 This amendment clarifies that the prohibition on hunting
33 from or near a public paved way and possessing a firearm on a
34 paved way applies to public paved roads.