

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

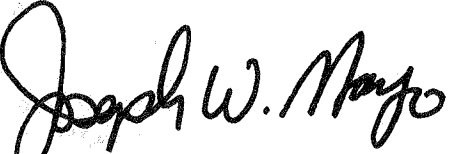
No. 1159

H.P. 854

House of Representatives, February 20, 1997

An Act to Open Trapping Season on Saturday.

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


JOSEPH W. MAYO, Clerk

Presented by Representative GOODWIN of Pembroke.

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

2
4 **Sec. 1. 12 MRSA §7035, sub-§1**, as amended by PL 1993, c. 265,
§1, is further amended to read:

6 **1. Rules.** The commissioner may, with the advice and consent
of the advisory council and in conformity with the Maine
8 Administrative Procedure Act, Title 5, Part 18, and except as
otherwise provided, adopt, amend and repeal reasonable rules,
10 including emergency rules, necessary for the proper
administration, implementation, enforcement and interpretation of
12 any provision of law that he the commissioner is charged with the
duty of administering. These rules duly ~~promulgated-shall~~ adopted
14 have the full force and effect of law and ~~shall-be~~ are effective
upon filing with the Secretary of State, unless a later date is
16 required by statute or specified in the rule.

18 **A.** Fishing rules as set forth in the 1986 Open Water
Fishing Regulations folder and the 1986 Ice Fishing
20 Regulations folder, as printed and distributed to the
public, are declared to be official consolidations of
22 fishing rules. Each subsequent biennial revision of these
publications ~~shall~~, upon filing with the Secretary of State,
24 ~~constitute~~ constitutes an official consolidation as
printed.

26 **B.** A municipality or political subdivision of the State may
28 not enact any ordinance, law or rule regulating the hunting,
trapping or fishing for any species of fish or wildlife; the
30 operation, registration or numbering of watercraft or
snowmobiles; or any other subject matter of chapter 715,
32 subchapters I and II. For purposes of this paragraph,
except as provided in subparagraphs (3) and (4), the
34 regulation of fishing includes the regulation of ice fishing
shacks. Nothing in this paragraph may be construed to
36 prohibit the following:

38 (1) The enactment of any ordinance generally
regulating the discharge of firearms in a municipality
40 or any part of a municipality;

42 (2) The adoption of rules as authorized in section
7792;

44 (3) The enactment of any ordinance regulating ice
46 fishing shacks on sources of public water supply as
provided under Title 22, section 2642; or

48 (4) The enactment of any ordinance regulating ice
50 fishing shacks on coastal waters as defined in section
6001, subsection 6.

52

2 C. Notwithstanding any provision of this Title, in
3 establishing by rule any open season for trapping of any
4 animal, the commissioner shall open the season on a Saturday.

6 **Sec. 2. 12 MRSA §7451, sub-§1, ¶B,** as repealed and replaced by
7 PL 1981, c. 224, §1, is amended to read:

8 B. There shall ~~be~~ is an open season on trapping bear from
9 the first Saturday preceding September 1st to October 31st
10 annually.

12

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SUMMARY

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 This bill requires that the open season on trapping begin on
a Saturday.