

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)

M
1000

L.D. 1464

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

DATE: *May 17, 2001* (Filing No. S-*218*)

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE
SENATE
120TH LEGISLATURE
FIRST REGULAR SESSION**

SENATE AMENDMENT "A" to H.P. 1095, L.D. 1464, Bill, "An Act to Amend the Laws Governing the Suspension and Revocation of Hunting and Fishing Licenses"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

Sec. 1. 12 MRSA §7077, sub-§1-A, ¶G, as enacted by PL 1993, c. 136, §1, is repealed.

Sec. 2. 12 MRSA §7077, sub-§1-B, ¶B, as amended by PL 1995, c. 346, §7, is further amended to read:

B. Taking or possessing sport fish in violation of bag, weight and size limits in violation of section 7604, as it relates to trout, salmon, togue and black bass, whenever the violation involves twice the general bag and possession limit adopted by rule by the commissioner for that species of fish ~~in-that-body-of-water~~;

Sec. 3. 12 MRSA §7077, sub-§1-B, ¶C, as enacted by PL 1993, c. 136, §1, is repealed.

Sec. 4. 12 MRSA §7077, sub-§1-D is enacted to read:

1-D. Waive. Notwithstanding the provisions of section 7077-D, subsection 3, the commissioner may waive or reduce any mandatory minimum suspension period established in statute, upon determination by the commissioner that an inappropriate action contributed to or resulted in that revocation.

SENATE AMENDMENT

2 **Sec. 5. 12 MRSA §7077-A, sub-§4**, as enacted by PL 1995, c.
346, §11, is amended to read:

4 **4. Conviction of violation of Title 17-A while hunting or**
5 **fishing.** If a person holding a license or permit under this
6 chapter is convicted of the violation of any provision of Title
7 17-A while on a hunting or fishing trip or in the pursuit of wild
8 animals, wild birds or fish, the commissioner may shall revoke
9 the license or permit held by that person for a period ~~not to~~
10 ~~exceed 5 years~~ of at least one year, except when the killing or
11 wounding of a human being has occurred, in which case the
12 commissioner may shall revoke the license or permit for ~~not less~~
13 than at least 5 years.

14 **Sec. 6. 12 MRSA §7077-A, last ¶**, as amended by PL 1995, c. 346,
15 §11, is repealed.

16 **Sec. 7. 12 MRSA §7456-B**, as enacted by PL 1979, c. 543, §43,
17 is repealed.

18 **Sec. 8. 12 MRSA §7901, sub-§3-A**, as enacted by PL 1987, c. 89,
19 §2, is repealed.'

20 Further amend the bill by inserting at the end before the
21 summary the following:

22
23
24
25
26
27
28 **FISCAL NOTE**

29 The amendment does not include the requirement that the
30 Department of Inland Fisheries and Wildlife must adopt certain
31 rules for which they would have incurred minor costs. As amended
32 by this amendment, the bill has no fiscal impact.'


33
34
35
36 **SUMMARY**

37 This amendment replaces the bill. The amendment removes the
38 total repeal of the Maine Revised Statutes, Title 12, section
39 7077, subsection 1-A and only repeals the provision in that
40 section that requires a mandatory license revocation for hunting
41 caribou. This amendment also removes the repeal of section 7077,
42 subsection 1-B and amends that subsection to allow for twice the
43 general bag limit for a species of fish and by removing the
44 mandatory license revocation requirement for fishing by jigging.
45 The amendment removes the requirement that a person whose license
46 has been revoked must successfully complete a firearms training

SENATE AMENDMENT "A" to H.P. 1095, L.D. 1464

2 program or an ethics program before becoming eligible to obtain a
3 new license. Additionally, the amendment allows the Commissioner
4 of Inland Fisheries and Wildlife to waive or reduce mandatory
5 minimum suspension periods established in statute under certain
6 circumstances. The amendment also requires the commissioner to
7 revoke a license of a person who is convicted of any violation
8 under Title 17-A and sets minimum revocation periods. The
9 amendment repeals the prohibition on hunting and possessing
10 caribou.

11 This amendment adds a fiscal note to the bill.

12
13
14 SPONSORED BY: 
15 (Senator CARPENTER)

16
17 COUNTY: York

18
19
20