

MAINE STATE LEGISLATURE

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R.O.S.

L.D. 1939

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DATE: 2-9-06

(Filing No. S-446)

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INLAND FISHERIES AND WILDLIFE

Reported by:

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**STATE OF MAINE
SENATE
122ND LEGISLATURE
SECOND REGULAR SESSION**

18
20
COMMITTEE AMENDMENT "A" to S.P. 740, L.D. 1939, Bill, "An
Act To Revise Certain Fish and Wildlife Laws"

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24
Amend the bill by inserting after the title and before the
enacting clause the following:

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28
'Emergency preamble. Whereas, acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

30
32
Whereas, the provisions of this legislation must take effect
immediately to ensure the proper management of Maine's fish and
wildlife resources; and

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38
Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
safety; now, therefore,'

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42
Further amend the bill in section 4 in that part designated
"~~S11109-A.~~" in subsection 2 by striking out all of the 3rd
sentence (page 2, lines 41 to 43 in L.D.)

44
Further amend the bill in section 4 in that part designated
"~~S11109-A.~~" in subsection 3 in the 3rd line (page 2, line 49 in
L.D.) by striking out the following: "the regular open firearm

COMMITTEE AMENDMENT

10 of 13

COMMITTEE AMENDMENT "A" to S.P. 740, L.D. 1939

2 season" and inserting in its place the following: 'either the
3 regular open firearm season or the special archery season or the
4 special muzzle-loading season in accordance with sections 11401,
5 11403 and 11404, respectively.'

6 Further amend the bill by inserting after section 16 the
7 following:

8 'Sec. 17. 12 MRSA §12659-A, sub-§1, ¶¶C and D are enacted to
9 read:

12 C. A person who violates this subsection commits a civil
13 violation for which a fine of not less than \$100 nor more
14 than \$500 may be adjudged.

16 D. A person who violates this subsection after having been
17 adjudicated as having committed 3 or more civil violations
18 under this Part within the previous 5-year period commits a
19 Class E crime.

20 Sec. 18. 12 MRSA §12659-A, sub-§3, ¶¶A and B are enacted to
21 read:

24 A. A person who violates this subsection commits a civil
25 violation for which a fine of not less than \$100 nor more
26 than \$500 may be adjudged.

28 B. A person who violates this subsection after having been
29 adjudicated as having committed 3 or more civil violations
30 under this Part within the previous 5-year period commits a
31 Class E crime.

32 Sec. 19. 12 MRSA §12659-A, sub-§4, ¶¶A and B are enacted to
33 read:

36 A. A person who violates this subsection commits a civil
37 violation for which a fine of not less than \$100 nor more
38 than \$500 may be adjudged.

40 B. A person who violates this subsection after having been
41 adjudicated as having committed 3 or more civil violations
42 under this Part within the previous 5-year period commits a
43 Class E crime.

44 Sec. 20. 12 MRSA §12659-A, sub-§5, as enacted by PL 2005, c.
45 397, Pt. E, §11, is repealed.'

48 Further amend the bill by inserting after section 22 the
49 following:

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1
2 'Emergency clause. In view of the emergency cited in the
preamble, this Act takes effect when approved.'

4 Further amend the bill by relettering or renumbering any
6 nonconsecutive Part letter or section number to read
consecutively.

8
10 **SUMMARY**

12 Currently, the holder of a super pack license may take 2
14 deer, one deer during the regular open firearm season only and
one antlerless deer as provided by the license provisions. This
16 amendment allows the super pack licensee to harvest one deer
during either the open firearm season or the special archery
18 season or the special muzzle-loading season and one antlerless
deer as provided by the license provisions. It also makes
changes to certain ice fishing provisions in accordance with
20 MCJUSTIS and adds an emergency preamble and clause to the bill.

22 **FISCAL NOTE REQUIRED**
(See attached)



Approved: 02/06/06 *MAC*

122nd MAINE LEGISLATURE

LD 1939

LR 2593(02)

An Act to Revise Certain Fish and Wildlife Laws

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Inland Fisheries and Wildlife

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Minor revenue increase - General Fund

Correctional and Judicial Impact Statements

Establishes new Class D and E crimes and civil violations.

The collection of additional fines may increase General Fund revenue by minor amounts.