

MAINE STATE LEGISLATURE

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Date: 5/22/13

L.D. 857
(Filing No. H-224)

INLAND FISHERIES AND WILDLIFE

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 608, L.D. 857, Bill, "An Act To Examine Fees Charged by Municipalities Concerning Outdoor-related Activities"

Amend the bill by striking out everything after the enacting clause and inserting the following:

Sec. 1. 12 MRSA §13201, first ¶, as affected by PL 2003, c. 614, §9 and amended by c. 655, Pt. B, §421 and affected by §422, is further amended to read:

A municipality or political subdivision of the State may not enact any ordinance, law or rule regulating or charging a fee for the hunting, trapping or fishing for any species of fish or wildlife; the possession or use of any equipment expressly permitted for use in hunting under this Part; the operation, registration or numbering of all-terrain vehicles, watercraft or snowmobiles or any other subject matter relating to all-terrain vehicles, watercraft or snowmobiles regulated under chapter 935 or 937 or under any other provisions of this Part, except that a municipality may regulate the operation of all-terrain vehicles on municipal property and on rights-of-way and easements held by that municipality. For purposes of this section, except as provided in subsection 3, the regulation of fishing includes the regulation of ice fishing shacks. This section does not prohibit:

Sec. 2. 30-A MRSA §3007, sub-§5, as amended by PL 2003, c. 332, §1, is further amended to read:

5. Firearms and hunting equipment. A municipality shall consult with the Department of Inland Fisheries and Wildlife during the process of the consideration of the adoption or amendment of a firearm discharge ordinance. The area in which the discharge of firearms is prohibited by a firearm discharge ordinance must be described in the ordinance using clearly defined physical boundaries as points of reference. For purposes of this subsection, the term "clearly defined physical boundaries" includes but is not limited to roads, waterways and utility corridors. After January 1, 2000, a municipality that adopts or amends a firearm discharge ordinance shall provide the Commissioner of Inland Fisheries and Wildlife with a copy of the new or amended firearm discharge ordinance and a copy of any maps that show the areas in the

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1 municipality affected by the new or amended ordinance within 30 days from the date that
2 the ordinance is enacted or amended. A municipality may not ~~include bows and arrows~~
3 ~~in any firearms discharge~~ adopt or enforce any ordinance prohibited under Title 12,
4 section 13201.'

5 **SUMMARY**

6 This amendment clarifies that municipalities may not adopt or enforce any ordinance,
7 law or rule that regulates or charges a fee for hunting, trapping or fishing, or that
8 regulates or charges a fee for the possession or use of any hunting equipment, besides
9 firearms, that is expressly permitted under the Maine Revised Statutes, Title 12, Part 13.