

MAINE STATE LEGISLATURE

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Date 6/6/23

L D 1525

(Filing No H-368)

INLAND FISHERIES AND WILDLIFE

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to H P 980, L D 1525, "An Act to Provide for Administrative Suspension of Licenses and Certificates Issued Under the Inland Fisheries and Wildlife Laws"

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

'An Act to Allow for a Suspension of Licenses and Permits Issued Under the Inland Fisheries and Wildlife Laws for a Deferred Disposition or Written Filing Agreement'

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

Sec. 1. 12 MRSA §10902, sub-§1, as enacted by PL 2003, c 414, Pt A, §2 and affected by c 614, §9, is amended to read

1. Conviction or adjudication of violation. Any conviction or adjudication, deferred disposition pursuant to Title 17-A, section 1902, subsection 1 or written filing agreement with the State pursuant to the Maine Rules of Unified Criminal Procedure, Rule 11B for a violation of this Part is grounds for suspension of any license or permit issued under this Part. Except ~~where~~ when provided by law, the commissioner shall determine the suspension period. To suspend a license or permit based upon a conviction or adjudication, the commissioner shall follow the procedures under section 10903. A suspension or revocation of a license by the District Court is subject to the provisions of subsection 5.

Sec. 2. 12 MRSA §10902, sub-§2, as affected by PL 2003, c 614, §9 and amended by c 655, Pt B, §97 and affected by §422, is further amended to read

2. Refusal to issue license or permit. If a person is convicted or ~~is~~ is adjudicated or ~~a~~ enters into a deferred disposition pursuant to Title 17-A, section 1902, subsection 1 or enters into a written filing agreement with the State pursuant to the Maine Rules of Unified Criminal Procedure, Rule 11B in violation of any provision of this Part and is not the holder of a valid license or permit issued under this Part, the commissioner may refuse to issue a related license or permit to that person for up to 5 years following the date of conviction or adjudication, except when the killing or wounding of a human being has occurred, in which

COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT "A" to H P 980, L D 1525

1 case the commissioner may refuse to issue the license or permit for a period of not less than
2 5 years '

3 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
4 number to read consecutively

5 **SUMMARY**

6 This amendment replaces the bill and allows for a suspension of licenses and permits
7 issued by the Department of Inland Fisheries and Wildlife for a deferred disposition or
8 when there is a written filing agreement with the State

9 **FISCAL NOTE REQUIRED**

10 (See attached)



131st MAINE LEGISLATURE

LD 1525

LR 2025(02)

An Act to Provide for Administrative Suspension of Licenses and Certificates Issued Under the Inland Fisheries and Wildlife Laws

Fiscal Note for Bill as Amended by Committee Amendment

A" (H-368)

Committee: Inland Fisheries and Wildlife

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Minor revenue impact - General Fund

Minor revenue increase - Other Special Revenue Funds

Correctional and Judicial Impact Statements

Violation of a suspended license is a Class D crime

The additional workload associated with the minimal number of new cases filed in the court system does not require additional funding at this time. The collection of additional fines will increase General Fund or other dedicated revenue by minor amounts.

Fiscal Detail and Notes

This bill changes the criteria that the Department of Inland Fisheries and Wildlife may use to determine a suspension of a license or permit issued by the department. The changes will result in a minor revenue decrease because fewer licenses or permits will be purchased if they are suspended.