

MAINE STATE LEGISLATURE

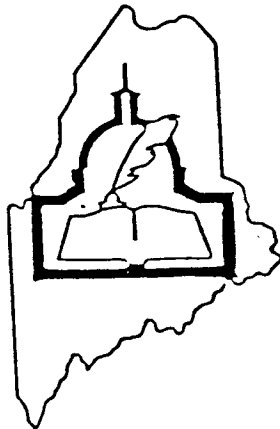
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STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON
FISHERIES AND WILDLIFE
BILL SUMMARY



JULY, 1985

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ONE HUNDRED AND TWELFTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
JULY 1985

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees of the Maine Legislature, covering the First Regular Session of the 112th Legislature. The summaries are arranged by LD number and indexed separately by committee.

LD: 202 AN ACT RELATING TO RESTRICTIONS ON FIREARMS CLARK H
WHILE HUNTING WITH BOW AND ARROW JACQUES
CONNERS
JACKSON
OTP-AM HOUSE Enacted PUBLIC
SENATE Enacted CH # 91
GOV SIGNED
H-34 CA H S

SUMMARY:

The purpose of this bill is to allow those who hunt with bow and arrow to carry a side arm.

Committee Amendment A substitutes the word "handguns" for the words "side arms" and adds a sunset provision to the bill.

LD: 265 AN ACT TO REQUIRE A BEAR STAMP TO HUNT BEAR TUTTLE
JACQUES
MATTHEWS Z
SMITH C B
LV-WD HOUSE Accepted Committee Report
SENATE Accepted Committee Report
GOV

SUMMARY:

This bill requires the purchase of a bear stamp before bear can be hunted.

LD: 269 AN ACT TO ALLOW CERTAIN FISH AND WILDLIFE MATTHEWS Z
OFFENSES TO BE TREATED AS CIVIL VIOLATIONS ERWIN P
ROTONDI
MILLS
LV-WD HOUSE Accepted Committee Report
SENATE Accepted Committee Report
GOV

SUMMARY:

Most fish and wildlife violations are considered Class E crimes even though the misconduct may not be criminal in nature. In many types of fish and wildlife "crimes", fines seldom exceed \$100, and jail sentences are never imposed. Also, the criminal record which accompanies conviction of many of these violations is unwarranted.

This bill gives prosecutors the option to handle certain fish and wildlife offenses as either criminal or civil violations. A prosecutor would not have this discretion in the more serious cases.

By eliminating the threat of incarceration and the social stigma associated with criminal records, most violations would be settled at the District Court level without excessive cost to the State.

Section 1 defines conviction to mean a judgment of a court in favor of the State in either a civil or criminal proceeding. This is necessary in order for the commissioner to revoke licenses in those instances where fish and wildlife violations are handled through civil process.

Section 2 removes a civil penalty from the section which now deals exclusively with criminal penalties.

Section 3 defines which offenses are civil violations and sets forth the applicable penalties. Section 3 also establishes that charging a civil rather than a criminal violation is a matter of prosecutorial discretion.

Section 4 allows a person who has been summonsed for a criminal offense to answer to a civil complaint without further service or process, although failure to appear may result in a default judgment if the prosecutor has chosen the civil violation.

LD: 298 AN ACT TO REMOVE THE FEES FOR SELLING EMERSON
OUT-OF-STATE HUNTING LICENSES

ONTP HOUSE Accepted Committee Report
SENATE Accepted Committee Report
GOV

SUMMARY:

The purpose of this bill is to remove the fees imposed on agents for selling out-of-state hunting licenses.

LD: 338 AN ACT AUTHORIZING THE DEPARTMENT OF JACQUES
INLAND FISHERIES AND WILDLIFE TO CONTINUE MATTHEWS Z
TO REGULATE THE HARVEST OF ANTLERLESS DEER USHER

OTP-AM HOUSE Enacted GREENLAW
SENATE Enacted PUBLIC
GOV SIGNED CH # 230

H-151 CA H S

SUMMARY:

The Commissioner of Inland Fisheries and Wildlife currently has authority to regulate the harvest of antlerless deer in any area of the State. This authority became effective on January 1, 1983, and is scheduled to terminate early in 1986. Without a change in the current statute, Maine will be back to either sex deer hunting on a statewide basis in the fall of 1986.