MAINE STATE LEGISLATURE

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1	(New Draft of S.P. 63, L.D. 169)
2 3	FIRST REGULAR SESSION
4 5	ONE HUNDRED AND ELEVENTH LEGISLATURE
6 7	Legislative Document No. 1586
8	S.P. 543 In Senate, May 10, 1983
9 10 11	Reported by Majority Report from the Committee on Fisheries and Wildlife and printed under Joint Rule 2. Original bill presented by Senator Usher of Cumberland. Cosponsored by Senator Dow of Kennebec, Representative Conners of Franklin and Representative Clark of Millinocket.
12	JOY J. O'BRIEN, Secretary of the Senate
13 14	STATE OF MAINE
15 16 17	IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-THREE
18 19 20	AN ACT to Prohibit Harassment of Hunters, Trappers and Fishermen.
21 22	Be it enacted by the People of the State of Maine as follows:
23	12 MRSA c. 710 is enacted to read:
24	CHAPTER 710
25	HARASSMENT OF HUNTERS, TRAPPERS
26	AND FISHERMEN
27	§7541. Harassment prohibited
28 29 30	1. Interference with taking. No person may willfully interfere with the lawful hunting, fishing or trapping of a wild animal, wild bird or fish.

- 2. Disturbing wild animals, wild birds or fish.
 No person may willfully disturb or attempt to disturb
 a wild animal, wild bird or fish with the intent to
 interfere with the hunting, fishing or trapping of
 them.
 - 3. Violation. A violation of this section is a civil violation for which a forfeiture of not less than \$100 nor more than \$500 may be adjudged.
- 9 <u>4. Property rights otherwise provided by law.</u>
 10 This chapter shall not be construed in any way to
 11 limit the ownership use, access or control of prop12 erty rights otherwise provided by law.

§7542. Injunction; damages

- 1. Injunction. The District Court or Superior Court may enjoin conduct which would be in violation of section 7541 upon petition by a person affected or who reasonably may be affected by the conduct, upon a showing that the conduct is threatened or that it has occurred on particular premises in the past and that it is not unreasonable to expect that under similar circumstances it will be repeated.
- 2. Damages. The District Court or Superior Court may award damages to any person adversely affected by a violation of section 7541, which may include an award for punitive damages. In addition to other items of special damage, measure of damages may include expenditures of the affected person for equipment and supplies, license and permit fees, travel and guides to the extent that the expenditures were rendered futile by interference with the hunting, fishing or trapping of a wild animal, bird or fish.

33 STATEMENT OF FACT

This new draft provides freedom from willful interference by others for persons lawfully hunting, fishing or trapping.