

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

(EMERGENCY)  
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 679

H.P. 506 House of Representatives, March 9, 1987  
Reference to the Committee on Fisheries and Wildlife  
suggested and ordered printed.

EDWIN H. PERT, Clerk  
Presented by Representative DUFFY of Bangor.

Cosponsored by Representatives RUHLIN of Brewer, JACQUES  
of Waterville, and Senator BALDACCI of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT to Further Protect Bald Eagles and  
2 Other Endangered Species.  
3

4 Emergency preamble. Whereas, Acts of the Legis-  
5 lature do not become effective until 90 days after  
6 adjournment unless enacted as emergencies; and

7 Whereas, feeding and harassing endangered and  
8 threatened species disrupts their natural state and  
9 engenders dependency on the party feeding the ani-  
10 mals; and

11 Whereas, there are four boat operators that have  
12 in the past fed bald eagles to enhance viewing from  
13 the boats and thus the operator's commercial gain;  
14 and

1           Whereas, it is likely that such lucrative activi-  
2 ties will increase at the expense of endangered and  
3 threatened wildlife resources; and

4           Whereas, the summer tourist season runs from ap-  
5 proximately Memorial Day to Labor Day; and

6           Whereas, it is important to have these provisions  
7 in effect before the tourist season begins; and

8           Whereas, in the judgment of the Legislature,  
9 these facts create an emergency within the meaning of  
10 the Constitution of Maine and require the following  
11 legislation as immediately necessary for the preser-  
12 vation of the public peace, health and safety; now,  
13 therefore,

14 Be it enacted by the People of the State of Maine as  
15 follows:

16           Sec. 1. 12 MRSA §7001, sub-§13-B is enacted to  
17 read:

18           13-B. Harass. "Harass" means an intentional or  
19 negligent act or omission which creates the likeli-  
20 hood of injury to wildlife by annoying it to such an  
21 extent as to significantly disrupt normal behavioral  
22 patterns.

23           Sec. 2. 12 MRSA §7756, sub-§1, as enacted by PL  
24 1979, c. 420, §1, is amended to read:

25           1. Misuse of endangered or threatened species. A  
26 person is guilty, except as provided in subsection 2,  
27 of misuse of an endangered or threatened species if  
28 he that person does any of the following:

29           A. Exports any endangered or threatened species  
30 from the State;

31           B. Hunts, traps or possesses any endangered or  
32 threatened species within the State; ~~or~~

33           C. Possesses, processes, sells, offers for sale,  
34 delivers, carries, transports or ships, by any  
35 means whatsoever, any endangered or threatened  
36 species; or

1        D. Deliberately feeds, sets bait for or harasses  
2        any endangered or threatened species, except as  
3        allowed under subsection 2, paragraph A.

4                Emergency clause. In view of the emergency cited  
5 in the preamble, this Act shall take effect when ap-  
6 proved.

7    STATEMENT OF FACT

8                This bill makes it illegal to feed, bait or  
9 harass any endangered species for other than research  
10 or rehabilitative purposes as allowed by the commis-  
11 sioner. The term "harass" is defined in section 1.  
12 Because this problem is most acute during the summer  
13 tourist season, this is an emergency bill and should  
14 take effect immediately.

15

0610022087