

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 918, L.D. 1284, Bill, "An Act to Increase the Penalties for Selling Game and Make Them Uniform"

Amend the bill by striking out all of the title and inserting in its place the following:

'An Act to Increase the Penalties for Selling Wild Birds or Animals and Make Them Uniform'

Further amend the bill by inserting after the enacting clause the following:

'Sec. 1. 12 MRSA §7456, sub-§5, as amended by PL 1981, c. 414, §30, is repealed and the following enacted in its place:

5. Selling wild birds. A person is guilty of selling wild birds if that person sells or possesses for sale any wild bird, except as provided in chapters 701 to 721. A person may sell the plumage of lawfully taken wild birds if that sale does not violate regulations of the United States Federal Migratory Bird Treaty Act.'

Further amend the bill in section 3 by striking out all of subsection 3 and inserting in its place the following:

'3. Fish. A violation of any of the acts prohibited in chapter 711, subchapter III, fishing violations, is a Class E crime, except that in addition to any penalty which the court might impose, a convicted person shall be fined \$5 ~~\$20~~ for each fish illegally possessed, this fine not to be suspended.'

Further amend the bill in section 5 by striking out all of subsection 13 and inserting in its place the following:

'13. Selling or buying wild birds or wild animals. Selling or buying wild birds or wild animals is a Class D crime. A convicted person shall be imprisoned for not less than 10 days for a first offense and not less than 20 days for each succeeding

1 offense, this imprisonment not to be suspended, and shall be
2 fined not less than \$1,000, this fine not to be suspended.

3 A person is guilty of selling or buying wild birds or wild
4 animals if that person:

5 A. Buys or sells bear in violation of section 7452,
6 subsection 9;

7 B. Sells wild birds in violation of section 7456,
8 subsection 5;

9 C. Buys or sells deer in violation of section 7458,
10 subsection 3;

11 D. Buys or sells moose in violation of section 7464,
12 subsection 8; or

13 E. Buys or sells wild turkey in violation of section 7469,
14 subsection 9.'

15 Further amend the bill by renumbering the sections to read
16 consecutively.

25 STATEMENT OF FACT

27 This amendment makes it clear that the sale of plumage from
28 lawfully taken birds is not illegal. It retains the current
29 penalties for illegally selling fish, raising the additional fine
30 for illegal possession of fish from \$5 per fish to \$20 per fish.
31 The amendment also replaces the word "game" with "wild birds and
wild animals".

Reported by the Committee on Fisheries and Wildlife
Reproduced and distributed under the direction of the Clerk of the
House
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