

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
SECOND REGULAR SESSION

HOUSE AMENDMENT "G" to COMMITTEE AMENDMENT "A" to H.P. 1665, L.D. 2334, Bill, "An Act to Correct Errors and Inconsistencies in the Laws of Maine"

Amend the amendment by inserting after Part F the following:

PART G

Sec. G-1. 12 MRSA §7053, sub-§2, ¶G, as enacted by PL 1979, c. 420, §1, is amended to read:

G. Do anything otherwise prohibited by chapters 701 to 721 if necessary to carry out their duties and powers. This paragraph does not authorize wardens to stop any person, motor vehicle or watercraft except as specifically provided in this section.

Sec. G-2. 12 MRSA §7076, sub-§9, ¶A, as amended by PL 1999, c. 558, §1, is further amended to read:

A. The commissioner shall issue a hunting, trapping and fishing license to any Indian, 10 years of age or older, of the Passamaquoddy, Penobscot, Maliseet or Micmac Tribes without any charge or fee, providing the Indian presents a certificate from the respective reservation governor, the Aroostook Micmac Council or "~~Wesget-Suppe~~" "Wesget-Sipu" stating that the person described is an Indian and a member of that tribe. Holders of these licenses are subject to chapters 701 to 721.

HOUSE AMENDMENT

2 **Sec. G-3. 12 MRSA §7311, sub-§2,** as amended by PL 1999, c.
403, §14, is further amended to read:

4 **2. Qualifications.** In order to qualify for a guide
6 license, a person must:

8 A. Be at least 18;

10 B. Pass the guide exam;

12 C. If a first-time applicant for a guide license, be
14 currently certified in first aid through completion of any
16 standard first aid course that meets the criteria
18 established by rule of the commissioner. For purposes of
20 this paragraph, "first-time applicant" means any applicant
who has not previously been issued a guide license in this
State. Any person, other than a first-time applicant, who
applies for a guide license shall submit satisfactory
evidence, as determined by the commissioner, of having held
a guide license in this State; and

22 D. Meet all requirements established by rules of the
24 commissioner.

26 ~~A person prohibited from possessing a firearm pursuant to Title~~
15, ~~section 393, subsection 1 is not eligible to obtain or~~
28 ~~possess the specialized hunting guide license defined by rule of~~
the commissioner.

30 **Sec. G-4. 12 MRSA §7406, sub-§20, ¶A,** as amended by PL 1999,
32 c. 403, §19, is further amended to read:

34 A. Notwithstanding the provisions of subsection 9-A:

36 (1) A person may hunt migratory waterfowl from a
motorboat in accordance with federal regulations;

38 (2) A person who has a valid Maine permit to carry a
40 concealed weapon may have in or on a motor vehicle or
trailer a loaded pistol or revolver covered by that
42 permit; and

44 (3) Paraplegics and single or double amputees of the
46 legs may hunt shoot from motor vehicles that are not in
motion.'

48 Further amend the amendment by relettering or renumbering
any nonconsecutive Part letter or section number to read
consecutively.

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SUMMARY

This amendment amends the laws governing the powers of game wardens to ensure they are consistent with L.D. 2691, Public Law 1999, chapter 738. This amendment provides that the current authority to do anything otherwise prohibited by the fish and wildlife laws if necessary to carry out their duties does not authorize game wardens to stop any person, motor vehicle or watercraft except as specifically provided in the Maine Revised Statutes, Title 12, section 7053, which includes the new language added by Public Law 1999, chapter 738.

This amendment also corrects the spelling of the name of the Native American organization mentioned in Public Law 1999, chapter 558.

This amendment amends the Maine guide licensing statutes. Current law provides that a person is ineligible for a specialized hunting guide license if the person is prohibited from possessing a firearm under Title 15, section 393, subsection 1. This amendment repeals that ineligibility.

This amendment amends the law concerning shooting from a motor vehicle. It clarifies that paraplegics and single or double amputees of the legs are authorized to shoot from motor vehicles that are not in motion.

SPONSORED BY: 
(Representative THOMPSON)

TOWN: Naples