

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2001

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Legislative Document

No. 234

S.P. 63

In Senate, January 23, 2001

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### **An Act Regarding Hunts of Nuisance Animals.**

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Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator DAVIS of Piscataquis.  
Cosponsored by Representative SCHNEIDER of Durham and  
Senator FERGUSON of Oxford, Representatives: BUCK of Yarmouth, CARR of Lincoln,  
KASPRZAK of Newport, PERKINS of Penobscot, SHERMAN of Hodgdon, TRACY of  
Rome, WHEELER of Bridgewater.

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

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**Sec. 1. 12 MRSA §7502, sub-§2,** as enacted by PL 1979, c. 420,  
4 §1, is amended to read:

6 **2. Employment of agents.** That A person who is qualified to  
7 take or kill a nuisance animal pursuant to subsection 1 and whose  
8 land is open to hunting may authorize a member of his the  
9 person's immediate family or someone employed by him that person  
10 to take or kill those deer or other wild animals. When he the  
11 person employs someone not domiciled on the land where the damage  
12 is being done to take or kill the deer or other wild animals, he  
13 the person shall apply to the game warden in charge of the  
14 district in which the orchard or crop are is located for  
15 permission to employ such a person and shall obtain permission  
16 from the warden in writing.

18 **Sec. 2. 12 MRSA §7502, sub-§2-A** is enacted to read:

20 **2-A. Lottery hunt.** A person who is qualified to take or  
21 kill a nuisance animal pursuant to subsection 1 and whose land is  
22 closed to hunting may apply to the game warden in charge of the  
23 district in which the orchard or crop is located for a hunt to be  
24 conducted on the subject property. If approved, the department  
25 shall hold a lottery available to all hunters who hold a license  
26 pursuant to chapter 707, subchapter II to determine who will  
27 conduct the hunt. Rules adopted pursuant to this subsection are  
28 routine technical rules as defined in the Title 5, chapter 375,  
29 subchapter II-A.

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**Sec. 3. 12 MRSA §7502, sub-§4,** as amended by PL 1979, c. 723,  
32 §22, is further amended to read:

34 **4. Warden's certificate.** The game warden shall immediately  
35 investigate the case and, if he the game warden is satisfied that  
36 the deer or other wild animal was taken as provided in this  
37 section, he the game warden shall give the person who killed the  
38 deer or other wild animal a certificate of his the game warden's  
39 finding in the matter. The certificate entitles the person to the  
40 ownership of the carcass or carcasses, to be possessed and  
41 consumed only within the immediate family of the owner of the  
42 crops or the person who killed the deer or other wild animal. If  
43 the hunt was conducted pursuant to subsection 2 or 2-A, the  
44 landowner may possess and consume only the first 2 carcasses of  
45 deer killed or taken during the hunt. The landowner shall donate  
46 any excess carcasses after the first 2 carcasses of deer killed  
47 or taken during the hunt to the Hunters for the Hungry Program.

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## SUMMARY

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This bill allows only people whose land is open for hunting to obtain written permission from a game warden to employ agents to take and kill nuisance animals. This bill requires people whose land is closed to hunting to apply to the game warden for a hunt to be conducted using hunters chosen by lottery. This bill also requires the landowner to donate any excess carcasses after the first 2 carcasses of deer taken or killed to the Hunters for the Hungry Program.