

MAINE STATE LEGISLATURE

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L.D. 2078

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DATE: *March 21, 2002* (Filing No. S- *483*)

INLAND FISHERIES AND WILDLIFE

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**STATE OF MAINE
SENATE
120TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "*B*" to S.P. 746, L.D. 2078, Bill, "An Act to Ban the Use of Aircraft While Hunting"

Amend the bill by striking out all of sections 2 to 5 and inserting in their place the following:

Sec. 2. 12 MRSA §7406, sub-§24 is enacted to read:

24. Airborne hunting. A person on the ground or airborne may not use an aircraft to aid or assist in hunting big game.

Sec. 3. 12 MRSA §7901-A, sub-§6, ¶A, as enacted by PL 2001, c. 421, Pt. B, §88 and affected by Pt. C, §1, is amended to read:

A. Chapter 709, subchapter I violations:

(1) Shooting at or near wildfowl decoys as described in section 7406, subsection 11;

(2) Hunting without hunter orange clothing as described in section 7406, subsection 12; and

(3) Allowing a junior hunter to hunt without adult supervision as described in section 7406, subsection 21; and

A. of S.

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(4) Using an aircraft to aid or assist in hunting big game as described in section 7406, subsection 24 if the violation does not involve the taking of a big game animal;

Sec. 4. 12 MRSA §7901-A, sub-§7, ¶E, as enacted by PL 2001, c. 421, Pt. B, §88 and affected by Pt. C, §1, is amended to read:

E. The following are Class E crimes for which the court shall impose a fine of not less than \$500, none of which may be suspended:

(1) Illegally hunting wild turkeys as described in section 7469, subsection 1; and

(2) Illegally possessing wild turkeys as described in section 7469, subsection 2; and

(3) Using an aircraft to aid or assist in hunting big game as described in section 7406, subsection 24 if the violation involves the taking of a big game animal.

The In the case of crimes described in subparagraphs (1) and (2), the court also shall impose a fine of \$500 for each turkey illegally possessed or killed, none of which may be suspended.'

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

Further amend the bill by inserting at the end before the summary the following:

FISCAL NOTE

This bill may increase prosecutions for Class E crimes. If a jail sentence is imposed, the additional costs to the counties are estimated to be \$83.36 per day per prisoner. The number of prosecutions that may result in a jail sentence and the resulting costs to the county jail system are expected to be insignificant.

The additional workload and administrative costs associated with the minimal number of new cases filed in the court system can be absorbed within the budgeted resources of the Judicial Department. The collection of additional fines may increase General Fund revenue by minor amounts.'

R.O.S.

SUMMARY

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This amendment is the majority report and removes the prohibition on a person hunting a big game animal on the same day that person was airborne on a chartered or privately owned aircraft. It also adds a fiscal note to the bill.