

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2002

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Legislative Document

No. 2078

S.P. 746

In Senate, January 18, 2002

### **An Act to Ban the Use of Aircraft While Hunting.**

(AFTER DEADLINE)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

A handwritten signature in cursive script that reads "Pamela L. Cahill".

PAMELA L. CAHILL  
Secretary of the Senate

Presented by Senator CARPENTER of York.  
Cosponsored by Representative DUNLAP of Old Town and  
Senators: DAVIS of Piscataquis, FERGUSON of Oxford, KILKELLY of Lincoln, SAVAGE  
of Knox, WOODCOCK of Franklin, Representatives: CHICK of Lebanon, McGLOCKLIN of  
Embden, PATRICK of Rumford.

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

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Sec. 1. 12 MRSA §7001, sub-§§1-G and 2-A are enacted to read:

1-G. Aircraft. "Aircraft" means any machine or device designed for flight.

2-A. Big game. "Big game" means bear, deer and moose.

Sec. 2. 12 MRSA §7001, sub-§30-A is enacted to read:

30-A. Privately owned aircraft. "Privately owned aircraft" means a privately owned aircraft flown for noncommercial purposes.

Sec. 3. 12 MRSA §7406, sub-§§24 and 25 are 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.

25. Same day airborne. A person may not hunt or help someone else hunt big game on the same hunting day that person has flown on a chartered or privately owned aircraft. For the purposes of this subsection, "same hunting day" means the time between the earliest and latest legal shooting hours on a particular date.

Sec. 4. 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;
- (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; and
- (5) Hunting big game on the same hunting day a person has flown in a chartered or privately owned aircraft as described in section 7406, subsection 25 if the

2                    violation does not involve the taking of a big game  
3                    animal;

4                    **Sec. 5. 12 MRSA §7901-A, sub-§7, ¶E,** as enacted by PL 2001, c.  
5                    421, Pt. B, §88 and affected by Pt. C, §1, is amended to read:

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

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

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

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

17                    (4) Hunting big game on the same hunting day a person  
18                    has flown in a chartered or privately owned aircraft as  
19                    described in section 7406, subsection 25 if the  
20                    violation involves the taking of a big game animal.

21                    The court also shall impose a fine of \$500 for each turkey  
22                    illegally possessed or killed, none of which may be  
23                    suspended.

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29                    **SUMMARY**

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31                    This bill prohibits the use of aircraft to hunt big game and  
32                    prohibits a person from hunting big game on the same hunting day  
33                    that the person has flown on a chartered or privately owned  
34                    aircraft.  
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