

MAINE STATE LEGISLATURE

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M
R & S

L.D. 253

Date: 5/26/9

Report A

(Filing No. H-396)

INLAND FISHERIES AND WILDLIFE

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
124TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 199, L.D. 253, Bill, "An Act To Repeal the Requirement That Alien Big Game Hunters Be Accompanied by Guides Licensed by the State"

Amend the bill by striking out the title and substituting the following:

'An Act To Amend the Laws Governing Alien Big Game and Turkey Hunters and Nonresident Hunters'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 12 MRSA §11226, as reallocated by PL 2007, c. 695, Pt. A, §16, is repealed.

Sec. 2. 12 MRSA §11226-A is enacted to read:

§11226-A. Canadian big game hunter; guide required

1. Definitions. For purposes of this section, unless the context otherwise indicates, the following terms have the following meanings.

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

B. "Family member" means a parent, spouse, daughter or son or a grandchild who is less than 18 years of age.

2. Prohibition. An alien resident of the Canadian province of New Brunswick or Quebec may not hunt big game or wild turkey without being accompanied by a person who holds a valid guide license pursuant to chapter 927 authorizing that person to act as a hunting guide unless that alien:

A. Owns or leases land in the State;

B. Is current on property taxes assessed for the land owned in the State;

C. Keeps property owned or leased in the State open for hunting by the public; and

COMMITTEE AMENDMENT

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1 D. While hunting big game or wild turkey, possesses written authorization from the
2 commissioner to hunt big game without a guide.

3 An alien who resides in the Canadian province of New Brunswick or Quebec and who
4 wishes to hunt big game or wild turkey without a guide must, at the time of application
5 for a hunting license or permit to hunt big game or wild turkey, provide documentation to
6 the commissioner that that person meets the requirements of this subsection. Upon
7 determining that the applicant meets the criteria in this subsection and the applicant is not
8 otherwise ineligible to hold a license or permit under this Part, the commissioner shall
9 issue written authorization to hunt big game or wild turkey without a guide to the alien
10 and that alien's family members who hold a valid license to hunt big game or wild turkey
11 in the State.

12 3. Penalty. The following penalties apply to violations of this section.

13 A. A person who violates subsection 2 commits a civil violation for which a fine of
14 not less than \$100 or more than \$500 may be adjudged.

15 B. A person who violates subsection 2 after having been adjudicated as having
16 committed 3 or more civil violations under this Part within the previous 5-year period
17 commits a Class E crime.

18 **Sec. 3. 12 MRSA §11302, sub-§2, ¶A,** as enacted by PL 2003, c. 414, Pt. A, §2
19 and affected by c. 614, §9, is amended to read:

20 A. The total number of clients with a resident Maine guide may not be more than 3
21 5 in order to satisfy the requirements of this subsection.'

22 **SUMMARY**

23 This amendment replaces the bill. It repeals the current prohibition on aliens hunting
24 big game in the State without a guide and provides that an alien residing in New
25 Brunswick or Quebec may not hunt big game or wild turkey in Maine without being
26 accompanied by a licensed guide unless that alien has written authorization from the
27 Commissioner of Inland Fisheries and Wildlife to hunt big game or wild turkey without a
28 guide. The commissioner may not grant such authority unless the alien owns or leases
29 real property in the State, is current on the property taxes for that land and keeps that
30 owned or leased property open for hunting by the public. If an alien meets those criteria
31 the commissioner must provide written permission to hunt big game or wild turkey in
32 Maine without a guide to that alien and the alien's immediate family members who also
33 hold a Maine hunting license.

34 Current law provides that a nonresident may not hunt bear with the use of dogs unless
35 that person employs and hunts with a resident Maine guide and it limits the number of
36 nonresident clients a guide can hunt with to 3 hunters. This amendment increases that
37 number to 5.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



124th MAINE LEGISLATURE

LD 253

LR 32(05)

An Act To Repeal the Requirement That Alien Big Game Hunters Be Accompanied by Guides Licensed by the State

Fiscal Note for Bill as Amended by Committee Amendment "A"
 Committee: Inland Fisheries and Wildlife
 Fiscal Note Required: Yes

Fiscal Note

	2009-10	2010-11	Projections 2011-12	Projections 2012-13
Net Cost (Savings)				
General Fund	(\$24,098)	(\$32,131)	(\$32,131)	(\$32,131)
Revenue				
General Fund	\$24,098	\$32,131	\$32,131	\$32,131

Correctional and Judicial Impact Statements

Reduces civil cases and Class E crimes
 A reduction in fines will decrease General Fund revenue by minor amounts.

Fiscal Detail and Notes

This bill would result in an increase in General Fund revenue to the Department of Inland Fisheries and Wildlife of \$24,098 in fiscal year 2009-10 and \$32,131 in fiscal year 2010-11. Additional costs to the Department of Inland Fisheries and Wildlife can be absorbed within existing budgeted resources.