

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

M  
R. & S.

Date: 5/5/9

Majority

(Filing No. H-236)

1  
2  
3  
4  
5  
6  
7  
8

**AGRICULTURE, CONSERVATION AND FORESTRY**

Reproduced and distributed under the direction of the Clerk of the House.

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

9  
10

COMMITTEE AMENDMENT "A" to H.P. 252, L.D. 316, Bill, "An Act To Create a Large Game Shooting Area in Piscataquis County"

11  
12

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

**'An Act To Allow Eleven Large Game Shooting Areas in the State'**

13

Amend the bill by striking out all of section 1 and inserting the following:

14  
15

**'Sec. 1. 7 MRSA §1332**, as amended by PL 2003, c. 386, §5, is further amended to read:

16

**§1332. Animal Industry Fund**

17  
18  
19  
20  
21  
22  
23  
24

The Treasurer of State shall establish a separate account known as the Animal Industry Fund. This fund does not lapse but must be carried forward. Except as provided in section 1346, license fees collected under section 1333, subsection 3 and license and tagging fees collected under section 1342, subsections 3 and 4 and section 1342-A must be deposited in the account. Funds from this account may be used to pay for administrative costs associated with licenses issued under sections 1333 and 1342 and 1342-A, tags issued under section 1342 and other costs associated with administration and enforcement of this chapter and chapter 202-A.

25  
26

**Sec. 2. 7 MRSA §1342, first ¶**, as enacted by PL 1999, c. 765, §3, is amended to read:

27  
28  
29

Beginning October 1, 2000, a person may not establish or operate a commercial large game shooting area unless that person has a valid license issued in accordance with this section or section 1342-A.

30  
31

**Sec. 3. 7 MRSA §1342, 2nd ¶**, as enacted by PL 1999, c. 765, §3, is amended to read:

32  
33

~~The Commissioner~~ Except as provided in section 1342-A, the commissioner may issue a license under this chapter only to a person who operated a commercial large game

**COMMITTEE AMENDMENT**

R. & S.

1 shooting area during the period beginning October 1, 1999 and ending March 15, 2000  
2 and only for large game offered for harvesting within that area during that time period.'

3 Amend the bill by striking out all of sections 3, 4 and 5 and inserting the following:

4 'Sec. 3. 7 MRSA §1342, sub-§10 is enacted to read:

5 10. Expansion of licenses. A person issued a license under this section shall notify  
6 the commissioner prior to offering a genus or species of large game for harvesting that  
7 was not offered for harvesting at the time the initial license was issued. The notification  
8 must state the additional genus or species that the license holder is proposing to offer.  
9 Upon determining that the license holder can meet the requirements of subsection 2, the  
10 commissioner shall issue a revised license.

11 Sec. 4. 7 MRSA §1342-A is enacted to read:

12 §1342-A. Issuance of initial licenses after April 1, 2009

13 The commissioner may issue a license in accordance with this section and section  
14 1342-B to applicants who do not qualify for a license under section 1342.

15 1. Application. To apply for a license under this section, a person must submit an  
16 application on a form provided by the commissioner along with the license fee  
17 established under section 1342, subsection 3. The application must include:

- 18 A. The name and mailing address of the person applying for the license;
- 19 B. A map locating the proposed site in relation to known or easily identifiable terrain  
20 features, such as a road junction or a stream and road junction. The map must be a  
21 copy of a 7.5 or 15 minute series topographical map produced by the United States  
22 Geological Survey or a map of equivalent or superior detail in the location of roads;
- 23 C. A statement of the types of large game the applicant is proposing to offer for  
24 harvest; and
- 25 D. Information sufficient to demonstrate that the land and facilities requirements  
26 under section 1342, subsection 2 can be met.

27 2. Criteria for reviewing applications. Upon receipt of a complete application  
28 under subsection 1, the commissioner shall review all materials submitted to determine  
29 the proximity of the proposed commercial large game shooting area to other licensed  
30 commercial large game shooting areas. If more than 2 applicants qualify for a license  
31 under this section, the commissioner shall give preference to a proposal to establish a  
32 commercial large game shooting area in Piscataquis County and to other proposals that  
33 advance geographic distribution of commercial large game shooting areas. The  
34 commissioner may establish additional criteria for rating applications in rules adopted  
35 under section 1342, subsection 8. The commissioner may require inspection of the  
36 proposed site prior to issuing a license under this section.

37 3. Issuance of license; restrictions and requirements. The commissioner may not  
38 issue more than one license under this section to a person. The commissioner may not  
39 issue a license under this section to a person who received a license under section 1342  
40 whether that license is valid or expired.

R & S

1 A license issued under this section is for a specific parcel of land and only for the genus  
2 and species of large game specified in the license. The requirements and restrictions  
3 under section 1342, subsections 3, 4, 5, 6 and 7 and rules adopted under subsection 8  
4 apply to licenses issued under this section. A person issued a license under this section  
5 shall establish and maintain the licensed commercial large game shooting area in  
6 accordance with section 1342, subsection 2, paragraphs A to E.

7 **4. Acceptance of license applications.** The commissioner may establish a deadline  
8 for accepting applications for commercial large game shooting area licenses under this  
9 section and may postpone action on applications received until that deadline has passed.

10 **Sec. 5. 7 MRSA §1342-B** is enacted to read:

11 **§1342-B. Limitation on the number of commercial large game shooting areas**

12 The number of commercial large game shooting areas in the State may not exceed 11.  
13 The commissioner may not issue a license under section 1342-A if the total number of  
14 valid licenses issued under sections 1342 and 1342-A is 11. For purposes of this section,  
15 "valid license" means a license that has not expired whether or not the person holding the  
16 license has continued to operate a commercial large game shooting area.

17 **Sec. 6. 7 MRSA §1344, sub-§1**, as enacted by PL 1999, c. 765, §3, is amended to  
18 read:

19 **1. Operating commercial large game shooting area without license.** A person  
20 who operates a commercial large game shooting area without a license issued under  
21 section 1342 or section 1342-A is guilty of a Class E crime.

22 **Sec. 7. 7 MRSA §1344, sub-§3**, as amended by PL 2005, c. 81, §1, is further  
23 amended to read:

24 **3. Revocation of license.** The commissioner may revoke a license issued under  
25 section 1342 or under section 1342-A for any violation of this chapter or rule adopted  
26 pursuant to this chapter or any violation of chapter 739 or Title 17, chapter 42, subchapter  
27 3.

28 **Sec. 8. 7 MRSA §1346**, as amended by PL 2003, c. 386, §11, is further amended  
29 to read:

30 **§1346. License fees deposited in General Fund**

31 Notwithstanding section 1332, section 1333, subsection 3 and section 1342,  
32 subsections 3 and 4, the first \$1,120 collected each year under those sections and under  
33 section 1342-A for license fees for domesticated cervid farms and commercial large game  
34 shooting areas and transport tag fees must be deposited in the General Fund.'

35 Amend the bill by relettering or renumbering any nonconsecutive Part letter or  
36 section number to read consecutively.

37 **SUMMARY**

38 This amendment is the majority report of the Joint Standing Committee on  
39 Agriculture, Conservation and Forestry. It establishes a process for issuing licenses for

RWS

COMMITTEE AMENDMENT "A" to H.P. 252, L.D. 316

1  
2  
3  
4  
5

commercial large game shooting areas that were not operating between October 1, 1999 and March 15, 2000. It limits the total number of licenses for operating a commercial large game shooting area to 11. It allows licensed commercial large game shooting areas to offer genus and species of large game in addition to those offered between October 1, 1999 and March 15, 2000.

**FISCAL NOTE REQUIRED**  
(See attached)

**COMMITTEE AMENDMENT**



# 124th MAINE LEGISLATURE

LD 316

LR 71(02)

## An Act To Create a Large Game Shooting Area in Piscataquis County

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Agriculture, Conservation and Forestry

Fiscal Note Required: Yes

### Fiscal Note

	2009-10	2010-11	Projections 2011-12	Projections 2012-13
<b>Revenue</b>				
Other Special Revenue Funds	\$3,000	\$3,000	\$3,000	\$3,000

#### Fiscal Detail and Notes

This legislation allows the Department of Agriculture, Food and Rural Resources to license up to eleven large game shooting areas per year, and would result in additional Other Special Revenue Funds revenue of \$3,000 beginning in fiscal year 2009-10. Additional costs to the Department of Agriculture, Food and Rural Resources associated with licensing these areas can be absorbed within existing budgeted resources.