

MAINE STATE LEGISLATURE

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8/11
ROFS

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L.D. 1225

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Date: 6/3/2013

(Filing No. S-173)

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INLAND FISHERIES AND WILDLIFE

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Reproduced and distributed under the direction of the Secretary of the Senate.

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STATE OF MAINE

6

SENATE

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126TH LEGISLATURE

8

FIRST REGULAR SESSION

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COMMITTEE AMENDMENT "A" to S.P. 423, L.D. 1225, Bill, "An Act To
10 Strengthen Maine's Wildlife Laws"

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Amend the bill by inserting after the title the following:

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'Emergency preamble. Whereas, acts and resolves of the Legislature do not
become effective until 90 days after adjournment unless enacted as emergencies; and

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Whereas, the feeding of bear, moose and wild turkey is creating a public safety
hazard and having a detrimental effect on the bear, moose and wild turkey populations;
and

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Whereas, the open season on hunting bear begins on August 26th, bait to hunt bear
may be placed beginning July 27th and hunters may train dogs on bear beginning July
1st; and

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Whereas, Maine guides rely on bear hunting for their individual livelihoods, and
communities in rural regions of the State depend on bear hunting for economic activity to
help sustain their local economies; and

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Whereas, migratory game bird hunting begins in October; and

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Whereas, the importation and possession of wildlife requires immediate study; and

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Whereas, the 90-day period will not end before the first events begin; and

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Whereas, in the judgment of the Legislature, these facts create an emergency within
the meaning of the Constitution of Maine and require the following legislation as
immediately necessary for the preservation of the public peace, health and safety; now,
therefore,'

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Amend the bill in section 1 in subsection 39 by striking out all of paragraph B (page
1, lines 6 and 7 in L.D.) and inserting the following:

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'B. Columbidae, or pigeons, including doves and wild pigeons, but not including
rock doves, also known as rock pigeons;'

COMMITTEE AMENDMENT

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Amend the bill by inserting after section 2 the following:

'Sec. 3. 12 MRSA §10902, sub-§6, ¶G, as amended by PL 2011, c. 253, §16, is further amended to read:

G. Buying or selling moose, unlawfully hunting moose or unlawfully possessing moose, in violation of section 11154, 11217, 11601, 11651-A, 11652, 12302-A, 12304-A, 12305 or 12403; or

Sec. 4. 12 MRSA §10902, sub-§6, ¶H, as affected by PL 2003, c. 614, §9 and amended by c. 655, Pt. B, §99 and affected by §422, is further amended to read:

H. Buying or selling wild turkeys, unlawfully hunting wild turkeys, unlawfully possessing wild turkeys or using unlawful methods to hunt wild turkeys, in violation of section 11217, subsection 1; section 11751-A; section 11801; or section 12306, subsection 1; or

Sec. 5. 12 MRSA §10902, sub-§6, ¶I is enacted to read:

I. Hunting bear over another person's bait without written permission of that person in violation of section 11301, subsection 1-A.

Sec. 6. 12 MRSA §11301, sub-§1-A is enacted to read:

1-A. Prohibition. During the open season on hunting bear, a person may not within 50 yards of a bait site established by another person in accordance with section 11227 without the written permission of the person who established the bait site:

A. Hunt, trap, molest or harass bear or release a dog or dogs for the purpose of hunting bear or training dogs to hunt bear; or

B. Disturb the bait site through the use of chemicals or take other action intended to interfere with the hunting of bear at the bait site by the person who established the bait site.

Sec. 7. 12 MRSA §11302, sub-§2, as amended by PL 2009, c. 390, §3, is further amended to read:

2. **Nonresidents hunting with dogs.** A nonresident may not hunt bear with the use of a dog or dogs unless that nonresident employs and hunts with in the presence of a resident Maine guide. For purposes of this subsection, "in the presence of" means in visual and voice contact without the use of visual or audio enhancement devices, including but not limited to binoculars, citizen band radios or electronic communication systems.

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

This subsection does not apply to nonresidents who hold a valid Maine guide license.'

Amend the bill by inserting after section 6 the following:

'Sec. 7. 12 MRSA §12051, sub-§2, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is repealed.'

Amend the bill by adding before the summary the following:

COMMITTEE AMENDMENT

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'Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.'

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

SUMMARY

This amendment adds an emergency preamble and clause to the bill. It clarifies that rock doves, also known as "rock pigeons" and which the bill adds to the list of wild birds that may be hunted, are not included in the definition of "migratory game bird." It repeals the Maine Revised Statutes, Title 12, section 12051, subsection 2, which requires a permit to take rock doves from the wild for the purpose of training dogs since a rock dove is not a migratory game bird. It makes further changes to the laws regarding the placement of bear bait to prohibit hunting, trapping, molesting or harassing wildlife, using chemicals or releasing dogs in the vicinity of existing bait sites. It also requires nonresidents hunting bear with the use of a dog or dogs to be within visual and voice contact of a resident Maine guide. Finally, it makes the penalty for violation of hunting bear over another person's bait without permission a mandatory hunting license revocation.

FISCAL NOTE REQUIRED

(See attached)



126th MAINE LEGISLATURE

LD 1225

LR 475(02)

An Act To Strengthen Maine's Wildlife Laws

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-173)
Committee: Inland Fisheries and Wildlife
Fiscal Note Required: Yes

Fiscal Note

Minor Net Impact - General Fund

Correctional and Judicial Impact Statements

Establishes and eliminates Class E crimes.

The impact on General Fund fine revenue is expected to be minor

Fiscal Detail and Notes

Eliminating the rock dove permit will reduce General Fund revenue by minor amounts not requiring any change to the budget.