

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1787

S.P. 603

In Senate, May 28, 2019

An Act To Clarify and Enhance Fish and Wildlife Enforcement Laws

Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 204.
Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered
printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator DILL of Penobscot.

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

2 **Sec. 1. 12 MRSA §10609** is enacted to read:

3 **§10609. Restitution for scientific testing**

4 The department may seek restitution for scientific testing investigative expenses in
5 accordance with Title 17-A, section 1322 for all crimes investigated under this Part.

6 **Sec. 2. 12 MRSA §10652**, as amended by PL 2017, c. 50, §1, is further amended
7 to read:

8 **§10652. Abuse of another person's property**

9 **1. Prohibitions.** Prohibitions on the abuse of another person's property ~~while~~
10 ~~fishing, hunting or trapping~~ are as follows.

11 A. A person may not ~~while fishing~~:

12 (1) Tear down or destroy any fence or wall on another person's land;

13 (2) Leave open any gate or bars on another person's land; ~~or~~

14 (3) Trample or destroy any crop on another person's land;

15 (4) Damage or destroy a tree on another person's land by inserting into that tree
16 any metallic or ceramic object to be used as, or as part of, a ladder or observation
17 stand unless the person has the permission of the landowner;

18 (5) Except as provided in this paragraph, erect or use either a portable or
19 permanent ladder or observation stand on the land of another person unless:

20 (a) That person has obtained oral or written authorization to erect and use a
21 ladder or observation stand from the landowner or the landowner's
22 representative; and

23 (b) The ladder or observation stand is plainly labeled with a 2-inch by 4-inch
24 tag identifying the name and address of the person or persons authorized by
25 the landowner to use the stand or observation ladder.

26 This subparagraph does not apply to a portable ladder or observation stand that is
27 located on land within the jurisdiction of the Maine Land Use Planning
28 Commission and attended by the person who owns the ladder or observation
29 stand. For purposes of this subparagraph, "observation stand" does not include a
30 portable blind utilized at ground level that remains in the physical possession of
31 the hunter; or

32 (6) Destroy, tear down, deface or otherwise damage a property posting sign
33 under Title 17-A, section 402, subsection 4.

34 ~~B. A person may not while hunting any wild animal or wild bird:~~

1 ~~(1) Damage or destroy a tree on another person's land by inserting into that tree~~
2 ~~any metallic or ceramic object to be used as, or as part of, a ladder or observation~~
3 ~~stand unless the person has the permission of the landowner;~~

4 ~~(2) Except as provided in this paragraph, erect or use either a portable or~~
5 ~~permanent ladder or observation stand on the land of another person unless:~~

6 ~~(a) That person has obtained oral or written authorization to erect and use a~~
7 ~~ladder or observation stand from the landowner or the landowner's~~
8 ~~representative; and~~

9 ~~(b) The ladder or observation stand is plainly labeled with a 2-inch by 4-inch~~
10 ~~tag identifying the name and address of the person or persons authorized by~~
11 ~~the landowner to use the stand or observation ladder.~~

12 ~~This subparagraph does not apply to a portable ladder or observation stand that is~~
13 ~~located on land within the jurisdiction of the Maine Land Use Planning~~
14 ~~Commission and attended by the person who owns the ladder or observation~~
15 ~~stand. For purposes of this subparagraph, "observation stand" does not include a~~
16 ~~portable blind utilized at ground level that remains in the physical possession of~~
17 ~~the hunter;~~

18 ~~(3) Tear down or destroy any fence or wall on another person's land;~~

19 ~~(4) Leave open any gate or bars on another person's land;~~

20 ~~(5) Trample or destroy any crop on another person's land; or~~

21 ~~(6) Destroy, tear down, deface or otherwise damage a property posting sign~~
22 ~~under Title 17-A, section 402, subsection 4.~~

23 ~~C. A person may not while trapping a wild animal:~~

24 ~~(1) Tear down or destroy any fence or wall on another person's land;~~

25 ~~(2) Leave open any gate or bars on another person's land; or~~

26 ~~(3) Trample or destroy any crop on another person's land.~~

27 ~~Except as otherwise provided, a person may not possess any wild animal or wild bird~~
28 ~~taken by hunting or trapping in violation of this subsection.~~

29 ~~**2. Penalty.** A person who violates this section commits a Class E crime and may be~~
30 ~~ordered to pay restitution to the landowner for damages.~~

31 ~~**Sec. 3. 12 MRSA §10658-A** is enacted to read:~~

32 ~~**§10658-A. Unlawful possession of upland game**~~

33 ~~**1. Daily bag limit.** A person may not take more than the daily bag limit of an~~
34 ~~upland game species, as defined in rules adopted by the department, during any open~~
35 ~~season on that upland game species as established by the commissioner.~~

1 **2. Possession limit.** A person may not possess more than the possession limit of an
2 upland game species taken during any open season on that upland game species as
3 established by the commissioner.

4 **3. Penalty.** A person who violates this section commits a Class E crime for which a
5 fine of not less than \$200 plus \$50 for each upland game species taken in violation may
6 be adjudged.

7 **Sec. 4. 12 MRSA §10902, sub-§6, ¶G,** as amended by PL 2013, c. 280, §3, is
8 further amended to read:

9 G. Buying or selling moose, unlawfully hunting moose or unlawfully possessing
10 moose, in violation of section 11154, 11217, 11601, 11651-A, 11652, 12302-A,
11 ~~12304-A~~ 12304-B, 12305 or 12403;

12 **Sec. 5. 12 MRSA §10902, sub-§7-A,** as enacted by PL 2003, c. 592, §2 and
13 affected by §5 and c. 655, Pt. C, §§5 and 6, is amended to read:

14 **7-A. Hunting with night vision or thermal imaging device.** A hunting license of a
15 person convicted of night hunting in violation of section 11206, subsection 1 and found to
16 have been in possession of night vision equipment or a thermal imaging device at the
17 time of the offense must be revoked, and that person is ineligible to obtain a hunting
18 license for a period of 5 years from the date of conviction.

19 **Sec. 6. 12 MRSA §10902, sub-§7-B,** as enacted by PL 2017, c. 50, §2, is
20 amended to read:

21 **7-B. Destroying or defacing property posting signs.** ~~The hunting and fishing~~
22 ~~licenses of~~ A license, permit or registration issued by the department in effect at the time
23 a person is convicted of destroying, tearing down, defacing or otherwise damaging a
24 property posting sign in violation of section 10652, subsection 1, paragraph ~~B~~ A must be
25 revoked, and that person is ineligible to obtain ~~a hunting or fishing~~ any license, permit or
26 registration issued by the department for a period of one year from the date of conviction.

27 **Sec. 7. 12 MRSA §11103,** as affected by PL 2003, c. 614, §9; amended by c. 655,
28 Pt. B, §112; and affected by §422, is further amended to read:

29 **§11103. Prohibition for convicted felons and domestic violence offenders and**
30 **nonviolent juvenile offenders**

31 A person who is prohibited from possessing a firearm under Title 15, section 393,
32 subsection 1, ~~1-A or 1-B~~ is ineligible to obtain or possess any license or permit issued by
33 the department that authorizes a person to hunt with a firearm unless that person
34 possesses a valid permit in accordance with Title 15, section 393, subsection 2.

35 **Sec. 8. 12 MRSA §11217, sub-§2, ¶A,** as repealed and replaced by PL 2013, c.
36 333, §4, is amended to read:

1 A. A person who has lawfully killed or trapped and registered a bear may sell,
2 without a hide dealer's license, only the hide, head, teeth, claws not attached to the
3 paws, fat not attached to the meat and ~~gall bladder~~ gallbladder of that animal.

4 **Sec. 9. 12 MRSA §11217, sub-§2, ¶G**, as enacted by PL 2013, c. 333, §4, is
5 amended to read:

6 G. A person may buy, without a hide dealer's license, for that person's personal use
7 and not for resale, only the teeth, claws not attached to paws, fat not attached to the
8 meat, skull or head and hide of a bear; only the bones, feet and hide of a moose; the
9 skull or head of a deer or moose, excluding antlers; and all other parts of wild animals
10 and wild birds not prohibited from being bought, sold, offered for sale or bartered
11 under subsections 1 and 3.

12 **Sec. 10. 12 MRSA §11857**, as amended by PL 2013, c. 538, §29, is repealed.

13 **Sec. 11. 12 MRSA §12159, sub-§1**, as amended by PL 2011, c. 253, §23, is
14 further amended to read:

15 **1. Prohibition; penalties.** Except as provided in this section, a person may not take
16 ~~and~~ or possess reptiles or amphibians from the wild for export, sale or commercial
17 purposes.

18 A. A person who violates this subsection commits a civil violation for which a fine
19 of not less than \$100 nor more than \$500 may be adjudged.

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

23 **Sec. 12. 12 MRSA §12303-A, sub-§1**, as enacted by PL 2003, c. 655, Pt. B,
24 §230 and affected by §422, is amended to read:

25 **1. Time limits.** Except as provided in subsection 1-A, a person may not keep any of
26 the following unregistered wild animals ~~at home or any place of storage~~ for more than 18
27 hours after the animal was harvested:

28 A. Bear;

29 B. Deer;

30 C. Moose; or

31 D. Wild turkey.

32 **Sec. 13. 12 MRSA §12304-A**, as enacted by PL 2003, c. 655, Pt. B, §232 and
33 affected by §422, is repealed.

34 **Sec. 14. 12 MRSA §12304-B** is enacted to read:

1 **§12304-B. Condition of animal presented for registration**

2 **1. Wild turkey.** A person shall present a wild turkey for registration in its entirety,
3 except that the viscera may be removed in a manner that permits determination of the sex
4 of the animal.

5 **2. Bear, deer and moose.** A person shall present a bear, deer or moose for
6 registration as follows.

7 A. A person shall present a bear, deer or moose in its entirety, including, but not
8 limited to, all edible meat and the head for registration, except that the viscera, hide,
9 lower legs and rib cage, including the ribs, spine and pelvis, are not required to be
10 presented for registration.

11 B. A bear, deer or moose may be dismembered for ease of transportation.

12 C. A person must present evidence of sex of a bear, deer or moose for registration.

13 **3. Biological samples.** Through rulemaking, the commissioner may require hunters
14 to submit biological samples from wild turkey, bear, deer or moose at the time of
15 registration.

16 **4. Disposal of parts not presented for registration.** A person may not dispose of
17 the parts of a bear, deer or moose not presented for registration where they are visible to a
18 person traveling on a public or private way.

19 **5. Penalty.** A person who violates this section commits a Class E crime.

20 **Sec. 15. 12 MRSA §12954, sub-§4-A, ¶A,** as amended by PL 2017, c. 288, Pt.
21 A, §15, is further amended to read:

22 A. A licensee shall:

23 (1) Keep a true and complete record, in such form as is required by the
24 commissioner, to include the names and addresses of persons buying or selling
25 heads, hides, bear fat and bear gall bladders gallbladders; and

26 (2) File that record with the commissioner on or before June 30th of each year.

27 All data submitted to the commissioner as part of the record are for scientific
28 purposes only and are confidential and not a public record within the meaning of
29 Title 1, chapter 13, subchapter 1, except that the commissioner may disclose data
30 collected under this paragraph for law enforcement purposes or if the data are
31 released in a form that is statistical or general in nature.

32 **Sec. 16. 12 MRSA §12954, sub-§6-A, ¶C,** as enacted by PL 2013, c. 333, §9, is
33 amended to read:

34 C. A person who has lawfully killed or trapped and registered a bear may sell,
35 without a hide dealer's license, only the hide, head, teeth, claws not attached to the
36 paws, fat not attached to the meat and gallbladder of that animal.

1 **Sec. 17. 12 MRSA §12954, sub-§6-A, ¶G**, as enacted by PL 2013, c. 333, §9, is
2 amended to read:

3 G. A person may buy, without a hide dealer's license, for that person's own personal
4 use and not for resale, only the teeth, claws not attached to paws, fat not attached to
5 the meat, skull or head and hide of a bear; only the bones, feet and hide of a moose;
6 the skull or head of a deer or moose, excluding antlers; and all other parts of wild
7 animals and wild birds not prohibited from being bought, sold, offered for sale or
8 bartered under section 11217, subsections 1 and 3.

9 **Sec. 18. 12 MRSA §13001, sub-§15-A** is enacted to read:

10 **15-A. Marine engine.** "Marine engine" means a motor, including an outboard
11 motor, suitable for the propulsion of a watercraft upon water.

12 **Sec. 19. 12 MRSA §13001, sub-§21**, as enacted by PL 2003, c. 414, Pt. A, §2
13 and affected by c. 614, §9, is amended to read:

14 **21. Owner.** "Owner" means:

15 A. For the purpose of registration of a snowmobile, a person holding title to a
16 snowmobile or having ~~exclusive right to the use of a snowmobile for a period greater~~
17 ~~than 30 days~~ equitable interest in a snowmobile that entitles the person to possession
18 of the snowmobile;

19 B. ~~With respect to~~ For the purpose of registration of a watercraft, a person who
20 ~~claims lawful possession of the~~ holding title to a watercraft by virtue of legal title or
21 having equitable interest therein in a watercraft that entitles the person to possession
22 of the watercraft; or

23 C. For the purposes of registration of an ATV, a person holding title to an ATV or
24 having equitable interest in an ATV that entitles the person to possession of the ATV.

25 **Sec. 20. 12 MRSA §13068-A, sub-§10**, as enacted by PL 2003, c. 655, Pt. B,
26 §380 and affected by §422, is amended to read:

27 **10. Operating marine engine that exceeds noise limits.** The following provisions
28 govern noise limits.

29 A. A person may not operate a ~~motorboat~~ marine engine in such a manner as to
30 exceed:

31 (1) A noise level of 90 decibels when subjected to a stationary sound level test
32 with and without cutouts engaged and as prescribed by the commissioner; or

33 (2) A noise level of 75 decibels when subjected to an operational test measured
34 with and without cutouts engaged and as prescribed by the commissioner.

35 B. The following penalties apply to violations of this subsection.

36 (1) A person who violates this subsection commits a civil violation for which a
37 fine of not less than \$300 nor more than \$500 may be adjudged.

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

4 C. This subsection does not apply to ~~motorboats~~ marine engines that are operating in
5 a regatta or race approved by the commissioner under section 13061.

6 **Sec. 21. 15 MRSA §393, sub-§1-B**, as amended by PL 2017, c. 432, Pt. A, §1, is
7 further amended to read:

8 **1-B. Prohibition for domestic violence offenses.** A person may not own, possess
9 or have under that person's control a firearm, a crossbow, a muzzleloader or archery or
10 airbow equipment if that person:

11 A. Has been convicted of committing or found not criminally responsible by reason
12 of insanity of committing:

13 (1) A Class D crime in this State in violation of Title 17-A, section 207-A,
14 209-A, 210-B, 210-C or 211-A; or

15 (2) A crime under the laws of the United States or any other state that in
16 accordance with the laws of that jurisdiction is elementally substantially similar
17 to a crime in subparagraph (1).

18 Violation of this paragraph is a Class C crime; or

19 B. Has been adjudicated in this State or under the laws of the United States or any
20 other state to have engaged in conduct as a juvenile that, if committed by an adult,
21 would have been a disqualifying conviction under this subsection. Violation of this
22 paragraph is a Class C crime.

23 Except as provided in subsection 1-A, the prohibition created by this subsection for a
24 conviction or adjudication of an offense listed in paragraph A or B expires 5 years from
25 the date the person is finally discharged from the sentence imposed as a result of the
26 conviction or adjudication if that person has no subsequent criminal convictions during
27 that 5-year period. If a person is convicted of a subsequent crime within the 5-year
28 period, the 5-year period starts anew from the date of the subsequent conviction. In the
29 case of a deferred disposition, the 5-year period begins at the start of the deferred
30 disposition period. If, at the conclusion of the deferred disposition period, the court
31 grants the State's motion to allow a person to withdraw the plea and the State dismisses
32 the charge that gave rise to the prohibition with prejudice, the 5-year period terminates.

33 For the purposes of this subsection, a person is deemed to have been convicted or
34 adjudicated upon the acceptance of a plea of guilty or nolo contendere or a verdict or
35 finding of guilty, or of the equivalent in a juvenile case, by a court of competent
36 jurisdiction.

37 For the purposes of this subsection, a person is deemed to have been found not criminally
38 responsible by reason of insanity upon the acceptance of a plea of not criminally
39 responsible by reason of insanity or a verdict or finding of not criminally responsible by
40 reason of insanity, or of the equivalent in a juvenile case, by a court of competent
41 jurisdiction.

1 The provisions of this subsection apply only to a person convicted, adjudicated or placed
2 on deferred disposition on or after October 15, 2015.

3 **Sec. 22. 17-A MRSA §1105-A, sub-§1, ¶E**, as amended by PL 2005, c. 415, §2,
4 is further amended to read:

5 E. At the time of the offense, the person is on a school bus or, within 1,000 feet of
6 the real property comprising a private or public elementary or secondary school or a
7 safe zone as defined in section 1101, subsection 23 or on property designated by the
8 Department of Inland Fisheries and Wildlife as open to fishing for only persons under
9 16 years of age or persons holding a complimentary fishing license under Title 12,
10 section 10853 and the drug is:

11 (1) A schedule W drug. Violation of this subparagraph is a Class A crime;

12 (2) Marijuana in a quantity of 20 pounds or more. Violation of this
13 subparagraph is a Class A crime;

14 (3) A schedule X drug. Violation of this subparagraph is a Class B crime;

15 (4) Marijuana in a quantity of more than one pound. Violation of this
16 subparagraph is a Class B crime;

17 (5) A schedule Y drug. Violation of this subparagraph is a Class C crime; or

18 (6) A schedule Z drug. Violation of this subparagraph is a Class C crime.

19 For purposes of this paragraph, "school bus" has the same meaning as defined in Title
20 29-A, section 2301, subsection 5;

21 **Sec. 23. 17-A MRSA §1322, sub-§3**, as amended by PL 2015, c. 346, §8, is
22 further amended to read:

23 **3. Economic loss.** "Economic loss" includes economic detriment consisting of
24 environmental clean-up expense, property loss, allowable expense, work loss,
25 replacement services loss and, if injury causes death, dependent's economic loss and
26 dependent's replacement services loss. Noneconomic detriment is not loss. Economic
27 detriment is loss although caused by pain and suffering or physical impairment.
28 "Economic loss" includes expenses of an emergency response by any public agency and
29 critical investigation expenses and scientific testing investigative expenses.

30 A. "Allowable expense" means reasonable charges incurred for reasonably needed
31 products, services and accommodations, including those for medical care,
32 rehabilitation, rehabilitative occupational training, counseling services and other
33 remedial treatment and care, and nonmedical remedial care and treatment rendered in
34 accordance with a recognized religious method of healing. The term includes
35 reasonable and customary charges incurred for expenses in any way related to
36 funeral, cremation and burial. It does not include that portion of a charge for a room
37 in a hospital, clinic, convalescent or nursing home, or any other institution engaged in
38 providing nursing care and related services, in excess of a reasonable and customary
39 charge for semiprivate accommodations, unless other accommodations are medically
40 required.

1 A-1. "Critical investigation expense" means a necessary expense incurred by a
2 government or by a victim while investigating or prosecuting suspected criminal
3 conduct. "Critical investigation expense" is limited to the cost of an audit or other
4 financial analysis when that analysis is necessary to determine whether and to what
5 extent a victim has suffered financial harm from criminal conduct by an employee or
6 other person in a position of trust and the cost of analysis of suspected illegal drugs.

7 B. "Dependent's economic loss" means loss after a decedent's death of contributions
8 of things of economic value to the decedent's dependents, not including services they
9 would have received from the decedent if the decedent had not suffered the fatal
10 injury, less expenses of the dependents avoided by reason of decedent's death.

11 C. "Dependent's replacement loss" means loss reasonably incurred by dependents
12 after a decedent's death in obtaining ordinary and necessary services in lieu of those
13 the decedent would have performed for their benefit if the decedent had not suffered
14 the fatal injury, less expenses of the dependents avoided by reason of the decedent's
15 death and not subtracted in calculating dependent's economic loss.

16 C-1. "Environmental clean-up expense" means any reasonable expense incurred for
17 products and services needed to clean up any harm or damage caused to the
18 environment, including any harm or damage caused by chemicals; to restore the
19 environment to its previous condition prior to any harm or damage; and to properly
20 dispose of chemicals and other materials, including those used in the manufacture of
21 scheduled drugs in violation of chapter 45.

22 C-2. "Expense of an emergency response" means reasonable costs incurred by a
23 public agency in reasonably making an appropriate emergency response to the
24 incident, including a response to a suspected unlawful methamphetamine laboratory
25 under section 1124, but only includes those costs directly arising because of the
26 response to the particular incident. Reasonable costs include the costs of providing
27 police, firefighting, rescue and emergency medical services at the scene of the
28 incident, as well as the compensation for the personnel, including trained laboratory
29 personnel, responding to the incident. "Public agency" means the State or any
30 county, municipality, district or public authority located, in whole or in part, within
31 this State that provides or may provide laboratory services or police, firefighting,
32 ambulance or other emergency services.

33 D. "Property loss" means the value of property taken from the victim, or of property
34 destroyed or otherwise broken or harmed. A property loss includes the value of taxes
35 or other obligations due to the government that have not been paid. "Property loss"
36 also includes, in cases involving a violation of chapter 45, the value of money or
37 other consideration given or offered in exchange for scheduled drugs by a law
38 enforcement officer or another at the direction of a law enforcement officer that are
39 not, in fact, recovered by the State at the time of sentencing, regardless of whether
40 other money or items of value are sought, acquired or forfeited pursuant to Title 15,
41 chapter ~~515~~ 517. In cases involving a violation of chapter 45, the court must make a
42 finding that the property loss is specifically related to that case.

43 E. "Replacement services loss" means expenses reasonably incurred in obtaining
44 ordinary and necessary services in lieu of those the injured person would have

1 performed, not for income but for the benefit of the injured person or the injured
2 person's family, if the injured person had not been injured.

3 E-1. "Scientific testing investigative expense" means an expense incurred by a public
4 agency for conducting scientific testing aimed at enhancing or solving fish and
5 wildlife related crimes.

6 F. "Work loss" means loss of income from work the injured person would have
7 performed if the injured person had not been injured and expenses reasonably
8 incurred by the injured person in obtaining services in lieu of those the injured person
9 would have performed for income, reduced by any income for substitute work
10 actually performed by the injured person or by income the injured person would have
11 earned in available appropriate substitute work the injured person was capable of
12 performing but unreasonably failed to undertake. For a victim of a human trafficking
13 offense as defined in Title 5, section 4701, subsection 1, paragraph C, "work loss"
14 includes pay or benefits unfairly or illegally withheld from the victim by the offender
15 or any unfair labor agreement under Title 26, section 629, as defined by rules adopted
16 by the Department of Labor.

17 SUMMARY

18 This bill makes several changes to the State's fish and wildlife enforcement laws.
19 The bill:

20 1. Makes it illegal for nonviolent juvenile offenders and persons convicted of
21 domestic violence to possess a firearm hunting license. It also prohibits a person
22 convicted of a domestic violence offense from owning or possessing a crossbow, a
23 muzzleloader or archery or airbow equipment;

24 2. Provides that a person is guilty of aggravated trafficking in a scheduled drug if the
25 person is convicted of trafficking while in an area open to fishing for only persons under
26 16 years of age or complimentary fishing license holders;

27 3. Requires all edible meat from bear, deer and moose to be presented for registration
28 with evidence of sex;

29 4. Clarifies that a person's hunting license will be revoked if the person is convicted
30 of night hunting while in possession of a thermal imaging device;

31 5. Amends the definition of "owner" for the purpose of registration of a snowmobile,
32 watercraft and all-terrain vehicle;

33 6. Provides for penalties for bag limit and possession limit violations for individual
34 upland game species as established by the commissioner;

35 7. Clarifies the time limit to register a bear, deer, moose or wild turkey;

36 8. Clarifies that bear fat not attached to the meat can legally be used for personal or
37 commercial use without a hide dealer's license;

1 9. Provides for restitution of expenses incurred as a result of scientific testing to
2 enhance investigation procedures;

3 10. Clarifies that a person may not take or possess reptiles or amphibians from the
4 wild for export, sale or commercial purposes;

5 11. Strengthens the prohibition of abuse of another person's property by removing
6 reference to certain stated activities such as hunting, fishing or trapping to allow the
7 Department of Inland Fisheries and Wildlife to enforce the law against persons who
8 abuse another person's property but who may not be involved in an activity such as
9 hunting, fishing or trapping; and

10 12. Replaces the prohibition on operating a motorboat that exceeds noise limits with
11 a prohibition on operating a marine engine that exceeds noise limits.