

Drafter: JC

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LR (item)#: 104(2)

New Title?: Y

Add Emergency?: N

Date: 3/29/2021

LD 309
COMMITTEE AMENDMENT
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Reenacts PL 2009, ch. 390 with changes highlighted

Amend the bill by striking the title and replacing with the following:

An Act to Relating to Hunters Required to Hire Guides

Amend the bill by striking everything after the enacting clause and before the summary and replacing with the following:

Sec. 1. 12 MRSA §11226-B is enacted to read:

§ 11226-B. 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.

C. "Canadian border province resident" means a nonresident who is not a citizen of the United States and is a resident of the Canadian province of New Brunswick or Quebec.

2. Prohibition. Except as provided in this subsection, a Canadian border province resident ~~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~~ The commissioner may authorize a Canadian border province resident and that person's family members to hunt big game or wild turkey without being in the presence of a guide if the Canadian border province resident:

A. Owens or leases land in the State;

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

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

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

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

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

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

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

SUMMARY

This amendment replaces the bill. This amendment reenacts the substance of a provision of law that was enacted in 2009 and later repealed. The amendment requires a nonresident who is not a citizen of the United States and is a resident of the Canadian province of New Brunswick or Quebec to be accompanied by a licensed guide when hunting in Maine. It provides an exception for a person who owns or leases land in the State, is current on property taxes assessed for that land, and who keeps that land open for hunting by the public. If these conditions are met, the person and the person's family members may be issued authorization to hunt without a guide.