

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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 A, §16, is repealed.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. Owens 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

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

An alien who resides in the Canadian province of New Brunswick or Quebec and 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 and that alien's family members 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.

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

A. The total number of clients with a resident Maine guide may not be more than 35 in order to satisfy the requirements of this subsection.'

SUMMARY

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

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