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Date: (Filing No. S- )

**INLAND FISHERIES AND WILDLIFE**

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

**STATE OF MAINE**

**SENATE**

**130TH LEGISLATURE**

**FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 135, L.D. 309, “An Act To Require a Nonresident To Hire a Licensed Maine Guide To Hunt Big Game”

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

**'An Act Relating to Hunters Required To Hire Guides'**

Amend the bill by striking out all of section 1 and inserting 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. "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.

C. "Family member" means a parent, spouse, daughter or son or a grandchild who is less than 18 years of age.

**2. Prohibition.** Except as provided in this subsection, a Canadian border province resident 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. 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. Owns 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.

**COMMITTEE AMENDMENT**

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

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

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

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

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

### 18 SUMMARY

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

### 27 FISCAL NOTE REQUIRED

28 (See attached)