

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

An Act To Ban the Hunting of Animals in Enclosed Areas

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

Sec. 1. 7 MRSA §1332, as amended by PL 2003, c. 386, §5, is further amended to read:

§ 1332. Animal Industry Fund

The Treasurer of State shall establish a separate account known as the Animal Industry Fund. This fund does not lapse but must be carried forward. ~~Except as provided in section 1346, license~~ License fees collected under section 1333, subsection 3 ~~and license and tagging fees collected under section 1342, subsections 3 and 4~~ must be deposited in the account. Funds from this account may be used to pay for administrative costs associated with licenses issued under ~~sections~~section 1333 and 1342, tags issued under ~~section 1342 and other costs associated with administration and enforcement of this chapter and chapter 202-A.~~

Sec. 2. 7 MRSA §1333, sub-§2, as enacted by PL 2003, c. 386, §6, is amended to read:

2. License. The commissioner may issue a license for the propagation, possession, purchase or sale of cervids. A holder of a license issued pursuant to this subsection may raise cervids at any season of the year. The fee for a license is \$20 a year. ~~Except as provided in section 1346, a~~ license fee must be deposited in the Animal Industry Fund established in section 1332.

Sec. 3. 7 MRSA c. 202-A, as amended, is repealed.

Sec. 4. 7 MRSA §1751, first ¶, as amended by PL 2005, c. 146, §1, is further amended to read:

As used in this chapter and chapters 201, 202, ~~202-A~~, 207, 301 and 305, unless the context otherwise indicates, the following words have the following meanings.

[PL 2005, c. 146, § 1 (AMD).]

Sec. 5. 7 MRSA §1751, sub-§2, as amended by PL 2003, c. 386, §13, is further amended to read:

2. Domestic animals. "Domestic animals" means cattle, equines, goats, sheep, swine, cats, dogs, domesticated cervids or other domesticated animals; ~~large game as defined in section 1341, subsection 5;~~ and poultry.

Sec. 6. 7 MRSA §1752, as amended by PL 2003, c. 386, §14, is further amended to read:

§ 1752. Rules

The commissioner shall adopt rules that are necessary for the enforcement of chapters 201, 202, ~~202-A~~, 207, 301, 303 and 305. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 7. 7 MRSA §4011, sub-§1, ¶G, as amended by PL 2003, c. 414, Pt. B, §14 and affected by c. 614, §9, is further amended to read:

G. Hunts, traps or sells for the purpose of hunting any animal, except as permitted pursuant to ~~chapter 202-A~~ and Title 12, Part 13;

Sec. 8. 7 MRSA §4015, sub-§5, as amended by PL 1999, c. 765, §10, is further amended to read:

5. Livestock. Livestock must be provided with shelter suitable for the health of the animal. Livestock must have access to a constructed or natural shelter that is large enough to accommodate all livestock comfortably at one time. The shelter should be well drained and protect the livestock from direct sun, rain, wind and other inclement weather. Notwithstanding this subsection, shelter for equines must be provided in accordance with subsection 2, paragraph B, subparagraph (1). ~~For purposes of this subsection, "livestock" includes large game as defined in section 1341, subsection 5 kept at a licensed commercial large game shooting area as defined in section 1341, subsection 1.~~

Sec. 9. 17 MRSA §1031, sub-§1, ¶G, as amended by PL 2003, c. 452, Pt. I, §13 and affected by Pt. X, §2, is further amended to read:

G. Hunts, traps or sells for the purpose of hunting any animal, except as permitted pursuant to ~~Title 7, chapter 202-A~~ and Title 12, Part 13. Violation of this paragraph is a Class D crime;

Sec. 10. 17 MRSA §1037, sub-§5, as amended by PL 1999, c. 765, §12, is further amended to read:

5. Livestock. Livestock must be provided with shelter suitable for the health of the animal. Livestock must have access to a constructed or natural shelter that is large enough to accommodate all livestock comfortably at one time. The shelter should be well drained and protect the livestock from direct sun, rain, wind and other inclement weather. Notwithstanding this subsection, shelter for equines must be provided in accordance with subsection 2, paragraph B, subparagraph (1). ~~For purposes of this subsection, "livestock" includes large game as defined in Title 7, section 1341, subsection 5 kept at a licensed commercial large game shooting area as defined in Title 7, section 1341, subsection 1.~~

SUMMARY

This bill repeals the law that permits the establishment, operation and use of commercial large game shooting areas. This bill also removes the exemption in the animal cruelty laws of persons operating or hunting in such areas, thus making it a Class D crime to operate or hunt in those areas.