

Notice of Agency Rule-making Proposal

ADVERTISE: September 16, 2020

AGENCY: Inland Fisheries and Wildlife

CHAPTER NUMBER AND TITLE: Chapter 16 – Hunting (predator hunting contests)

PROPOSED RULE NUMBER *(leave blank; assigned by Secretary of State)*:

CONTACT PERSON FOR THIS FILING: Becky Orff, Inland Fisheries & Wildlife, 41 State House Station, 284 State Street, Augusta, ME 04333; Tel: 207-287-5202; becky.orff@maine.gov

CONTACT PERSON FOR SMALL BUSINESS INFORMATION (if different):

PUBLIC HEARING (if any): October 6, 2020 @ 4:00pm - via video conference (Microsoft Teams). Contact the Agency Contact Person by close of business October 5, 2020 for details.

COMMENT DEADLINE: October 16, 2020

BRIEF SUMMARY: The Department of Inland Fisheries and Wildlife has received a valid petition to consider amending Chapter 16 rules as they pertain to the hunting of coyote and predator hunting contests. The petitioner has requested rules be modified to create a definition for coyote and predator hunting contests, establish a registration requirement for all coyotes harvested and create a daily bag and possession limit for coyote with a modified hunting season. The petitioner has also requested that two new rule sections be created which will limit the harvest of coyote to those weighing less than 40 pounds and implement a prohibition on any predator hunting contests. Please contact the agency contact person above for a complete copy of the proposed rule. **NOTICE:** Due to the state of emergency that has been declared by the Governor, public hearings are now closed to the public physically attending. The public is strongly encouraged to submit any comments in writing to the Agency Contact Person. However, if you would like to submit comment via video conference, please contact Becky Orff at 207-287-5202 or becky.orff@maine.gov for details. Thank you for your understanding while we are experiencing this state of emergency.

IMPACT ON MUNICIPALITIES OR COUNTIES: No fiscal impact is anticipated.

STATUTORY AUTHORITY FOR THIS RULE: 12 MRSA, Section 10104

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED (if different):

E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON: Becky.Orff@maine.gov

** Check one of the following two boxes.*

The above summary is for use in both the newspaper and website notices.

The above summary is for the newspaper notice only. A more detailed summary / basis statement is attached.

Please approve bottom portion of this form and assign appropriate AdvantageME number.

APPROVED FOR PAYMENT _____ DATE: _____

(authorized signature)

FUND AGENCY ORG APP JOB OBJT AMOUNT

RULEMAKING FACT SHEET
(5 M.R.S.A., Section 8057-A)

AGENCY: Inland Fisheries and Wildlife

NAME, ADDRESS, PHONE NUMBER OF AGENCY CONTACT PERSON: Becky Orff, Inland Fisheries and Wildlife, 284 State Street, 41 State House Station, Augusta, ME 04333; Tel: 207-287-5202

CHAPTER NUMBER AND RULE TITLE: Chapter 16 – Hunting (Predator hunting contests)

STATUTORY AUTHORITY: 12 MRSA, Section 10104

TYPE OF RULE: Routine Technical Major Substantive

DATE AND PLACE OF PUBLIC HEARING: October 6, 2020 @ 4:00pm - via video conference (Microsoft Teams). Contact the Agency Contact Person by close of business October 5, 2020 for details.

COMMENT DEADLINE: October 16, 2020

PRINCIPAL REASON OR PURPOSE FOR PROPOSING THIS RULE:

The Department received a valid petition to consider the proposed rule.

ANALYSIS AND EXPECTED OPERATION OF THE RULE:

If adopted, this would modify several sections of Chapter 16 rules. A new section for definitions would be created in order to define the terms “coyote” and “predator hunting contest.” It would also establish a registration requirement for all coyotes harvested and create a daily bag and possession limit for coyote with a modified hunting season. The petitioner’s request would also create two new rule sections which will limit the harvest of coyote to those weighing less than 40 pounds and implement a prohibition on any predator hunting contests.

BRIEF SUMMARY OF RELEVANT INFORMATION CONSIDERED DURING DEVELOPMENT OF THE RULE (INCLUDING UP TO 3 PRIMARY SOURCES):

The proposed rule is the result of the petitioner’s request. A valid petition was received with the required number of signatures requesting the rule change.

FISCAL IMPACT OF THE RULE: No fiscal impact anticipated.

Note: If necessary, additional pages may be used.

AMEND CHAPTER 16 RULES AS FOLLOWS:

09-137 DEPARTMENT OF INLAND FISHERIES AND WILDLIFE

Chapter 16: HUNTING

16.01 Scope of Rules

These rules shall apply to the hunting, take, possession, transportation and registration of wild animals and wild birds that can be legally hunted in Maine, except for those areas closed to hunting described in Chapter 925, subchapter 1.

16.01(a) Definitions

- 1) Coyote: Coyote is a hybrid wild canid primarily having DNA of coyotes *Canis latrans*, with lesser amounts of gray wolf *Canis lupus*, eastern wolf *Canis Lycaon* and dog *Canis lupus familiaris*.
- 2) Predator hunting contest: A contest where participants compete for prizes of cash value or other inducements in the capture or take of predatory animals, e.g. coyotes.

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16.06 Registration, Data Collection and Tagging of Big Game and Furbearing Animals

2. Registration of Animals taken by hunting

- A. **Moose, deer, bear and turkey:** In accordance with 12 M.R.S. §12302-A all moose, deer, bear and turkey must be presented for registration at the first open registration station for that species of big game on the route taken by the person who killed the big game animal, with exceptions as stated in statute.
- B. **Bobcat:** All bobcat taken during the open bobcat hunting season shall be presented for tagging, by the person who harvested the bobcat, within 10 calendar days of harvesting the animal.
- C. **Coyote:** All coyotes taken during the open coyote hunting season shall be presented for registration and tagging at the first open registration station for that

species on the route taken by the person who killed the animal with any exceptions as stated in statute.

16.12 Upland Game and Furbearing Animal Hunting

6. Statewide Seasons for the Hunting of Furbearing Animals

<u>Furbearer Animal</u>	<u>Season Dates and Bag Limits</u>
Bobcat	December 1 through February 21
Coyote	January 1 through <u>February 28 and September 1 through December 31</u> (day hunting <u>only</u> permitted) December 16 through August 31 (<u>day &</u> night hunting permitted with appropriate permit) <u>Daily bag limit 1 Possession limit 5</u>
Fox	Monday after the opening of the Special Fox <u>& Coyote</u> Trapping Season through February 28
Raccoon	October 1 through December 31
Red Squirrel	January 1 through December 31
Skunk and Opossum	Monday after the opening of the Special Fox <u>& Coyote</u> Trapping Season through December 31
<u>NO BAG LIMIT FOR THESE SPECIES</u>	

16.13 Protocol for Big Game Registration Station & Furbearer Registration Agents

7. Operating Standards for Stations

A. Big Game and Coyote Registration Agents:

- (1) Minimum time of operation – 8:00 A.M. to 6:00 P.M.
- (2) Minimum days of operation - Monday through Saturday

16.16 Coyote Hunting

1. No coyotes equal to or greater than forty (40) pounds may be killed.
2. The use of bait for hunting coyotes is prohibited.

16.17 Predator Hunting Contests

1. Predator hunting contests are prohibited.