

Professional Guide



The Official Newsletter of the Maine Professional Guides Association

March 2007 • P.O. Box 336 • Augusta, Maine 04332 • email: info@maineguides.org

President's Message

Rick Hill, President

In our last newsletter, I stated that our biggest challenge was access to lands for the traditional uses we have all come to enjoy, and that our biggest threats were coming from those whose philosophies are far different than ours.

This all played out as predicted in January when the Land For Maine's Future Board awarded the Appalachian Mountain Club over six million dollars in state and federal tax dollars.

This has sent a clear message that the days of traditional uses of private land, as we have come to know it, are numbered, unless we as an organization *AND* as individuals get serious about our future.

It is Time to Make a Choice

Over the last 25 years MPGA has made great strides in our ability to educate and work with legislators and state government agencies for the betterment of all concerned. However, as a volunteer organization, we can only accomplish so much.

At our January Board of Directors meeting, I established a committee of board members to look at our existing structure and administration, and come up with

MPGA Officers

Chairman:	Don Dudley, Patten	446-6170
President:	Rick Hill, Mt. Chase	528-2183
Vice Pres:	John Rust, Hampden	337-5858
Secretary:	Bert Goodman, Patten	528-2320
Treasurer:	Bob Parker, Wilton	778-4077

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recommendations for the future. Their findings are clear.

Given the challenges we now face, we have a choice. We can move to the next level and support a full time Executive Director who can enhance and coordinate our organizations activities and goals.

Or we can muddle along and watch our profession wither and die as the "anti" elements gain a stronger foothold in our state each day.

It is clear to all of us who have a vested interest in the outdoor sporting industry, that there is only one viable choice, and that is to do whatever it takes to get stronger and be more visible.

This will take a Serious Financial Effort

To accomplish this next step, we have engaged in discussions with the consulting arm of Eaton Peabody's law firm, the organization that helped us win the bear referendum in 2004, to help find ways to fund this goal. At this point in time, we are just starting to look over their preliminary findings.

However, we must have a serious membership effort combined with outside experts in order to make it all work. There is strength in numbers, and numbers is what we will need.

We as members have to decide if we want to continue making our likelihoods as we always have, or be forced out of the business by those who don't share our traditional values.

The guiding profession brings millions of dollars into our state. Supports many thousands of jobs. Creates substantial tax dollars for the State of Maine. Funds the Department of Inland Fisheries & Wildlife through license fees paid by our patrons.

We are a part of the history and fabric of this state, and we need to continue to be. Is it worth the effort? I think so!

What do you think?

Rick

Super Super Raffle

Bert Goodman

Legislative Report

Skip Trask, Legislative Liaison

This year we are adding a new twist to the MPGA Super Raffle. There will be three levels of prizes for those of you who sell Super Raffle tickets:

- Sell \$1,500 – You will receive a beautiful Marlin 45/70 “Guides Model” rifle, complete with the MPGA Logo engraved in the stock.
- Sell \$1,000 – You will receive a \$200 LL Bean Gift Certificate.
- Sell \$500 – You will receive a \$100 LL Bean Gift Certificate.

The Super Raffle is one of our primary sources of income. As we all know, our cultural and traditional outdoor sporting activities are under constant scrutiny and attack by individuals and organizations whose ultimate goal is to change our way of life.

Environmental preservationists are accelerating their efforts to secure large tracks of land that will prohibit hunting, trapping, fishing, snowmobiling and other traditional uses.

MPGA must be in this fight! And, to be effective we must raise money!

Do you remember the 2004 referendum that would have prohibited the taking of bear with the use of traps, bait and hounds? You bet – we all do! The price tag to defeat the animal protectionists was \$1,700,000, and MPGA’s share of that bill was \$240,000.

Well, these people have not gone away. The Humane Society of the United States, the Fund For Animals, and others are well aware that we defeated them by a narrow margin. Don’t forget, they are watching Maine and waiting for another opportunity to trample all over our cultural and traditional outdoor activities.

We must raise money! Without money the MPGA is just another voice in the wilderness.

Your Participation is Vital

In the past, many of you have supported this effort by donating outdoor trips as prizes for the Super Raffle. For continued success of the raffle, it is absolutely necessary that guides and outfitters continue in this effort.

The Super Raffle is a significant source of our income. If you have been a past supporter of the Super Raffle, please continue to be. If you have not been a supporter, then be one. Get on board, be a player and help protect Maine’s outdoor traditions.

For additional information about donating trips or selling tickets, contact Bert Goodman, Box 323, Patten, ME 04765; Telephone – (207) 528-2320; Email – info@northcountrylodge.com.

Over 100 Bills That Could Impact Guides

The First Regular Session of the 123rd Maine legislature got off to a very slow start. One of the reasons is that “term limits” produce a lot of new legislators and it takes a while for them to get comfortable with the complex legislative process.

However, by the time you receive this newsletter, things will have really started to “heat up” in the halls of the State House. More than 100 bills will be considered between now and June that could impact your guiding activities one way or another.

Most of the bills of interest or concern to guides used to be handled by the Fish and Wildlife Committee (F&W). Not anymore! Today, there are lots of bills heard by other committees that have the potential to impact our way of life even more than traditional fish and game bills.

Land use issues, and land and water access issues, are tremendously important to the future of guiding. Bills dealing with these topics are usually assigned to the Agriculture, Conservation & Forestry Committee (ACF). In fact, the ACF Committee deals with just about everything that falls under the jurisdiction of the Department of Conservation, including LURC, the Bureau of Parks and Lands and the Allagash Wilderness Waterway.

Last winter, for the first time ever, I spent more time representing your interests in front of the ACF Committee than the F&W Committee.

Ever Try To Be In Three Places At Once?

The F&W Committee meets on Tuesdays and Thursdays and the ACF Committee on Mondays and Wednesdays, so their schedules seldom overlap.

There are several other committees that also deal with issues affecting guides, such as the Marine Resource Committee, the Natural Resource Committee, the Appropriations Committee, the Judiciary Committee, the Criminal Justice Committee, the Taxation Committee and the State and Local Government Committee.

Each of these additional committees meets at least twice a week and their schedules almost always conflict with those of either the F&W or ACF Committees.

As a lobbyist, you frequently need to be in three places at the same time in order to “cover all the bases”. That’s why some organizations, such as SAM, have two or three lobbyists on their payroll, each working on different issues and dealing with different committees.

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Good Working Relationships With Other Organizations Is Critical!

Having a good working relationship with lobbyists from other organizations is critical to staying on top of things at the height of a hectic legislative session. We try to keep each other informed about issues of mutual interest.

This year for the first time ever, we have formalized and expanded the working relationship between organizations whose members depend on Maine’s natural resources. Maine’s Natural Resource Network was officially created near the end of 2006, and currently consists of fourteen organizations that rely on Maine’s land and water resources for both business and pleasure.

In addition to hunting, fishing, guiding and snowmobiling, the Network’s interests cover a broad array of pursuits from growing salmon, potatoes and blueberries, to harvesting forest products, lobsters and furbearing animals, to producing fruits, vegetables and fresh dairy products. We have a combined membership of more than 62,000 people – a formidable political force.

We meet once a week during the legislative session to discuss upcoming bills and decide how to deal with issues that threaten our lifestyles and livelihoods. Whenever we agree to take an official position on a bill, at least one of us attends the public hearing and testifies on behalf of the Network.

We’re off to a great start, and, going forward, I’m confident that we’ll have a tremendous impact on what the “face” of Maine will look like decades from now.

Sunday Hunting Revisited

Just because we work closely together on many issues doesn’t mean that members of the Natural Resources Network are always on the same side of the fence.

Case in point is the latest Sunday hunting bill that was given a public hearing by the Fish and Wildlife Committee on March 1, 2007. The Network only takes a position on bills if all members are in agreement, and in this case it was a difference of opinion among sporting organizations that prevented the Network from testifying in opposition to the bill.

LD #307, An Act to Enhance Land Use Opportunities for Landowners, sponsored by Representative Fitts of Pittsfield, adds a new twist to the Sunday hunting debate.

LD #307 would allow landowners and their families to hunt on their own land on Sundays providing that they own at least 20 acres and allow others to hunt there. In

part, the bill is an attempt to reward landowners for keeping their lands open to hunting by the general public.

Landowners should be recognized for allowing others to use their lands for outdoor recreation, but Sunday hunting is definitely not the answer.

Two short years ago, sportsmen were bitterly divided on a Sunday hunting provision that appeared in the Governor’s budget. Some of the hard feelings created during that battle still linger today.

As far as I’m concerned, Sunday hunting needs to be placed on the back burner for the foreseeable future. I’m not the only one who feels that way. I testified in opposition to the bill on behalf of the MPGA.

Others opposing the bill were Maine Bow Hunters, Maine Chapter of the Wild Turkey Federation, Maine Trappers, SWOAM, Maine Forest Products Council, Maine Dairy Industry and Maine Farm Bureau.

I made it clear that many of our members are avid hunters and hunting guides, and that many would like the opportunity to hunt on Sundays.

I also explained, however, that we have been working successfully for many years to build a good relationship with Maine

landowners. We are not willing to jeopardize that relationship by forcing something on landowners that is unacceptable to them, and that will jeopardize our ability to access hundreds of thousands of acres of privately owned land.

Once again we listened to testimony by Sunday hunting advocates that Maine is one of only a handful of states that prohibit Sunday hunting and that we are missing the boat, both in hunting opportunity and economic benefits, by not repealing this archaic law.

Some polls indicate that more than half of Maine’s hunters disagree with that argument. A majority of hunters seem to think that we stand to lose a lot more than we might gain.

Maine is just about the only state where almost all hunting takes place on privately owned land without compensation to the landowner. Hunters have no legal right of access to these lands. Were it not for the willingness of private landowners, both large and small, to share their lands with hunters, hunting in the State of Maine, as we know it, would be finished.

Until Maine landowners are willing to allow us to hunt on their lands on Sunday, Sunday hunting advocates should stop “stirring the pot”.

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Maine’s Natural Resource Network represents fourteen organizations with a total of over 62,000 members!

API Trapping Lawsuit Poses Serious Threat to Hunting and Fishing

The Animal Protection Institute (API), a California based animal rights organization, filed a lawsuit this past fall in Bangor Federal Court against the Maine Fish and Wildlife Department. The lawsuit alleges that the Department is in violation of the federal Endangered Species Act by allowing trapping practices that result, or could result, in the incidental taking of species listed as threatened, namely eagles and lynx.

Much of the information being used by the API in this lawsuit, which poses a significant threat to trapping in Maine, is being supplied by the Wildlife Alliance of Maine (WAM), a relatively new group of animal activists headquartered in Bangor.

The lawsuit seeks changes in Maine's trapping rules that would eliminate the possibility of a threatened species being taken accidentally in a trap set legally for other species.

Imagine the implications if this lawsuit is successful. If you can't set a trap because you might catch a lynx, the same rationale could be applied to the hunting of any species with hounds in an area where the dogs might strike a lynx track.

Such a precedent could prohibit fishing for striped bass or other game fish in areas where the angler might catch an endangered sturgeon.

The US Sportsmen's Alliance, the Maine Trappers Association, SAM, Fur Takers of America and the National Trappers Association joined forces to fight this lawsuit and filed a request with the Court to intervene as co-defendants with the Department. Very recently, the Judge granted this request over the objection of API.

As interveners, these groups, along with individual Maine trappers Don Dudley, Oscar Cronk, Alvin Theriault and Brian Cogill, will be allowed to participate fully in all proceedings associated with this lawsuit, including the right to appeal any outcome that is not in the best interest of trappers.

It will probably be several months before this case is resolved.

Endangered Species Listing of Goldeneye Could Create Problems for Guides

Last fall, when I reviewed the list of wildlife species that the Fish and Wildlife Department was planning to add to the state list of threatened and endangered species, I saw little need for concern.

I became very concerned, however, when I learned

that the Barrow's Goldeneye had been added to the list at the last minute.

For those unfamiliar with the process, the Department recommends and the Legislature makes the final decision on which species are added to or removed from the state list. [Note: State listing of threatened and endangered species is completely separate from, and has no direct connection to, the federal Endangered Species Act (ESA). For example, the lynx is listed as threatened throughout the lower 48 states under the federal ESA, but an adequate number of lynx exist in Maine that they do not qualify for the state list.]

The Department's bill, LD #366, "An Act to Make Additions and Deletions to the List of State Endangered and Threatened Species", recommends the addition of 14 new species to the state list, including the Barrow's Goldeneye.

I did a lot of research, and my initial reaction was that the Barrow's probably doesn't meet the criteria for being listed as threatened in Maine.

For example, the eastern population of Barrow's Goldeneye breeds only in Canada, and 90% of the population winters in Canada. A tiny segment (about 6%) of the population winters in Maine. In late fall and throughout the winter these birds are found along the coast of Maine from York to Eastport. They have been found at over a hundred general locations in Maine and continue to be found at new locations nearly every year.

Analyses of the current population indicate that Barrow's Goldeneyes continue to occur each year in Maine in relatively low numbers and show no trend between 1950 and 2006.

The public hearing on this bill took place on February 13, 2007. As a result of my research, I testified on behalf of the MPGGA against adding the Barrow's to the state list of threatened species.

I pointed out that Barrow's Goldeneyes are found in the same habitat as Common Goldeneyes, a common and heavily hunted species, and that, in flight, it is virtually impossible to distinguish one species from the other.

Included in my testimony were the following two paragraphs:

"Many of our members offer waterfowl hunting trips along the coast. Guides are responsible for their clients, and, by law, must turn in any client that violates the fish and wildlife laws. Clients of guides shoot Barrow's Goldeneyes every year. As of last fall, that was legal. If the Barrows is listed as a threatened species, that will no longer be the case."

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Get the Latest
News at the
25th Annual
Banquet
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“The Department has indicated that they will not prosecute any hunter that mistakenly kills a Barrow’s Goldeneye. That’s a help, but it wouldn’t keep most hunters from being very reluctant to hunt “whistlers” in areas that just might contain a few of these threatened birds. We’d be more willing to live with this listing if we thought it was warranted. We don’t.”

A few days after the hearing, I spent a lot of time talking with wildlife biologists at the Department about the status of Barrow’s Goldeneyes in Maine.

When our discussion ended, I was half-way convinced that, based on the best scientific evidence available, the Barrow’s probably does satisfy the established criteria for placing it on the state list of threatened species.

More importantly, I was pretty sure that the Legislature would be convinced to go along with the Department’s recommendation to list it.

It was time to go back to the drawing board and look for another way to protect the interest of MPGA members.

I had a “huddle” with George Smith and Don Kleiner, who had both opposed the listing of the Barrow’s – George on behalf of SAM and Don, who lobbies for the bow hunters and turkey hunters, but also guides duck hunters along the coast and who has had clients that have taken Barrow’s Goldeneyes.

We, in turn, met with Department officials and key legislators. The agreed solution was that the Department will issue an “Incidental Take Permit” (ITP) that will provide complete protection to any hunter that mistakenly shoots a Barrow’s Goldeneye while hunting other species of waterfowl.

Once the ITP is worded to our satisfaction and adopted, the Barrow’s will be placed on the state list. All this, of course, must be approved by the legislature’s Fish and Wildlife Committee.

I’m not crazy about the whole thing, but it will protect our members and I think we can all live with it.

**MPGA Legislation Prevents
Wanton Waste of Wildlife**

This year the MPGA Board of Directors decided on a legislative agenda that focused largely on preventing the waste of our wildlife resources.

As a result, I was able to include it all in one bill that I believe offers a very reasonable and very attractive package to legislators.

If you happen to review our bill, please don’t be disappointed with how it’s worded. The language in the bill bears little resemblance to the wording that I put together and sent to the attorneys in the Revisor’s Office for their consideration in drafting the document.

That happens a lot, and the F&W Committee, if they agree with what we’re trying to do, can make whatever changes might be necessary to ensure that the bill accomplishes what we intended.

Our bill, LD #728, is entitled “An Act to Enhance the Wise Use and Sound Management of Maine’s Wildlife Resources.” This bill will make it illegal to intentionally or negligently waste wildlife that has been taken by hunting or trapping.

It would require hunters to make every reasonable effort to retrieve wounded game, and would allow hunting guides the option of tracking and dispatching wounded big game animals for their clients outside legal shooting hours.

The bill would require that a person obtain a permit before taking a bear by hunting or trapping at any time during the open season, thereby providing the Fish and Wildlife Department with much needed information about the pressure currently being placed on Maine’s valuable black bear resource.

The additional funds generated by these permits would be used to finance studies related to black bears that were recommended by the Department to the Fish and Wildlife Committee in 2006 following a year-long review of Maine’s bear harvesting methods.

By the time you read this report, LD #728 will have already been given a public hearing. I’ll let you know in my next report what happened.

I’ll also fill you in on lots of other bills whose fate will have been determined by then. Hope to see many of you at the MPGA annual Banquet!

**MPGA’s Bill,
LD728, reduces
unnecessary waste
of our fish and
game resources,
and helps fund
critical IF&W
research programs**

Be a Winner!

**Win a Special MPGA
Commemorative Marlin 45/70
“Guides Model” Rifle**

Find out how on Page 2

Deer Committee

By Don Dudley

In order to investigate issues concerning decreasing deer populations in northern and eastern Maine, MPGA President Rick Hill formed the MPGA Deer Committee at the MPGA meeting on December 3rd and appointed members to the group.

Members of the Deer Committee are: Matt Libby (Chairman), Don Helstrom, Doug Denico, Don Dudley, Steve Norris, Tom Aasbo, Bert Goodman, Hank Goodman, and Dave Tobey.

Three meetings have been held to date, the first at Oxbow Lodge to identify our mission and necessary steps to complete it. The second meeting was with Gerry Lavigne, who is certainly the premier expert on Maine Whitetails. The third meeting was IF&W biologists, represented by Gene Dumont, Lee Kantar, Wally Jacobus and regional biologists.

There are many important factors affecting deer populations in northern and eastern Maine. Two of the most important are deer wintering areas and predation.

Deer Wintering Areas – Agreements between landowners and the State are ongoing at this time. All agree there needs to be protection of these critical habitats. However, there seems to be a certain degree of frustration between the landowners and IF&W, as to how these agreements are reached; how wintering areas are identified; and how to manage them.

Predation – The predation issue has many areas of disagreement. There currently is no active predator control program, due in part to the listing of Lynx.

One could ask the question, should the Lynx be listed or not. This question was brought up at each meeting and not a single person thought that they should. The IF&W is currently working to obtain an incidental take permit from the feds, but how this would affect predation programs remains unanswered.

The Deer Committee has a lot of information to digest and then decide how to apply it to these issues. The Committee will now work to incorporate all this information into a solution, if one exists.

Thanks to Matt Libby for organizing these initial meetings. Thanks also to Gerry Lavigne, and IF&W Biologists for their time and presentations. They gave us a good overview of our deer herds, yards, predation, and numerous other issues.

Officers & Directors

If you have a question and need answers, please call one of your Board of Directors or Officers.

- Chairman of the Board - Don Dudley, Patten, 446-6170
- President - Rick Hill, Mt. Chase, 528-2183
- Vice President - John Rust; AWW Committee Chair - Hampden, 207-337-5858
- Treasurer - Bob Parker; ProPlan Coordinator - Wilton, 778-4077
- Secretary - Bert Goodman; Raffle Committee Chair, Patten, 528-2320
- Tom Aasbo - Oxbow, 435-6140
- Jeff Bellmore; Banquet Committee Chair – Warren, 273-3818
- Wayne Bosowicz – Sebec, 564-3404
- Mike Carver; Show Committee Chair – Bingham, 672-5551
- Doug Denico - Fairfield, 453-2963 ext. 13
- Hank Goodman - Patten, 528-2320
- Don Helstrom, Legislative Committee Chair - Medway, 746-5860
- Matt Libby; Deer Committee Chair - Ashland, 435-8274
- Steve Norris - Princeton, 557-7463
- Dave Tobey - Grand Lake Stream, 796-2684

ProPlan

Still there. Still a great deal. But as we change from a lengthy magazine format to this rapid response newsletter format, something has to give. And one thing will be the regular listing of ProPlan offerings.

But not to worry! ProPlan info will soon be published in two forms: 1) a webpage will soon be available on the Association website; and 2) full information will be included in our new Professional Guide “Annual” Edition that will be available next January.

Meanwhile, if you have any questions or want to place a LL Bean order, just contact Bob Parker, our ProPlan Coordinator. Contact Bob Parker at 778-4077, or send an email to: info@maineguides.org.

Membership Questions?

Contact Bob Parker at 778-4077, send Email to info@maineguides.org, or write the Association.

Yes! Please Reserve My Seat At the 25th Annual MPGA Banquet!!!!

Please reserve my seats at the 25th Annual MPGA Banquet on April 14th at Jeff's Catering in Brewer.

Name: _____ Number in Party: _____

Amount Enclosed: \$ _____ (Please enclose \$30.00 per single, \$50.00 per couple, \$200.00 per table of 8)

Please Charge My Credit Card Type: ___ Visa / ___ MasterCard

Name on Card: _____

Card Number: _____ - _____ - _____ - _____

Expiration Date: ___ / ___ (mm/yy) Security Code: _____

Mail your Check (payable to "MPGA") and this Reservation Form **Before March 31st** to:
Jeff Bellmore, 1384 Atlantic Highway, Warren, ME 04864

For Additional Information, call Jeff Bellmore at 273-3818

25th Annual Banquet & Membership Meeting

Tickets

Tickets are \$30 each, \$50 per couple, or you may purchase an entire table of eight for \$200.

Reservations

We very much need for you to make reservations and order tickets early, so *send in this form early, with your check*, so we can get an accurate head count. We will still take money at the door for those who get an opportunity to come at the last minute.

For your Convenience, Copy or Cut Out this Form (or include the same info with your check) then Mail it in. Note: we do accept VISA and MasterCard. See above.

Auction Bargains Galore!

Don't miss our Annual Auction of items donated by board members, members at large, friends and sponsors. We will have many, many, special items to auction that will tempt everyone. Whose bid will win? Will you be a winner? It gets cut-throat at times, so only time will tell. Bring lots of money to bid, buy and have fun.

Donations

Bring an item for our auction, bid on other items, and take a chance on the 50-50 Raffle. It all adds up! Your help is vital to keep MPGA ready to meet the challenge of keeping up with legislative and agency activities.

Remember this Date:

- April 14, 2007
- 5:00 PM Happy Hour
- 6:00 PM Welcome
- Elections
- Speakers & Guests
- Door Prizes & Raffles
- Auction
- \$30 per person - \$50 per couple - \$200 per table

Held at Jeff's Catering on Coffin Ave. (Take I-395 Exit 5 "Parkway South"), Brewer, Maine.

Maine Professional Guides Association

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MPGA Meetings

April 1st – Board of Directors meeting, Augusta Civic Center (Sportsman Show), 1:00 PM (open to all members). Ask at our booth for the meeting location.

April 14th – **Annual Meeting & Banquet**, at Jeff’s Catering in Brewer. 5:00 PM Happy Hour. Send Reservations by March 31st. See Page 7 for details and tickets. Don’t miss out!

Show Schedule

March 16th thru 18th – Sportsman Show, UMO Field House, Orono.

March 23rd thru 25th – Sportsman Show, Wilton.

March 30th thru April 1st – Sportsman Show, Augusta Civic Center, Augusta.

April 7th & 8th – Sportsman Show, Presque Isle Fish & Game, Presque Isle.

25th Annual Banquet & Membership Meeting

Our 25th Annual Banquet. Imagine that! We look forward to another great evening with fellow guides, guests, families, our Board and Officers.

The evening will include an Annual Meeting with reports of the officers, a legislative update, and the annual election to the Board of Directors. There will also be speakers from IF&W, the Legislature, and our network partners to give brief updates.

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See Page 7 for Details