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LC01988
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2002

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A N A C T

RELATING TO FISH AND WILDLIFE -- BIRDS

Introduced By: Representative Scott P. Rabideau

Date Introduced: February 05, 2002

Referred To: Joint Environment & Energy

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 20-14-1 and 20-14-2 of the General Laws in Chapter 20-14
2 entitled "Birds" are hereby amended to read as follows:

3 **20-14-1. Birds protected.** – (a) No person shall pursue, hunt with intent to kill, take,
4 destroy, or have in his or her possession any wild bird or birds at any season of the year except
5 during the established open seasons. Possession of any bird during the time when the taking of
6 birds is prohibited shall be evidence that the bird was taken in violation of this section, and each
7 bird possessed in violation of this section shall constitute a separate and distinct offense.

8 (b) This section shall not be construed to apply to any species of birds for which: (1) a
9 federal depredation permit has been issued in accordance with applicable federal law; or (2) a
10 state depredation permit has been issued in accordance with section 20-14-1.1

11 **20-14-2. Destruction of nest or eggs.** – No person shall willfully disturb or destroy the
12 nest or eggs of any wild bird, except pursuant to a program authorized by the director or for
13 which a federal or state depredation permit has been issued.

14 SECTION 2. Chapter 20-14 of the General Laws entitled "Birds" is hereby amended by
15 adding thereto the following section:

16 **20-14-1.1. Bird depredation permits.** – (a) A person may petition and be issued a
17 depredation permit from the director or his or her designee, in accordance with applicable federal
18 law, for the taking of birds when found committing or about to commit depredations upon
19 ornamental or shade trees, agricultural crops, livestock, or wildlife, or when concentrated in such

1 numbers and manner as to constitute a health or public safety hazard or other nuisance.

2 (b) The director may promulgate rules and regulations, in accordance with applicable
3 federal law, establishing standards governing the issuance of depredation permits and other
4 measures necessary for the control of birds causing depredation or constituting a health or public
5 safety hazard or other nuisance.

6 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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- 1 This act would allow DEM to co-sign federal depredation permits and issue state
- 2 depredation permits for certain species of birds.
- 3 This act would take effect upon passage.

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