

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY

H.P. 1359 - L.D. 1905

An Act To Clarify Crossbow-related Hunting Laws

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this legislation needs to take effect before the expiration of the 90-day period in order to provide for the proper implementation of the legislation for the 2020 hunting season; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 12 MRSA §10952, sub-§1, as amended by PL 2015, c. 301, §7, is further amended to read:

1. Hunting with a bow and arrow or a crossbow. A person may, except as otherwise provided in this Part, hunt any wild bird or wild animal with a hand-held bow and arrow during any open season on that bird or animal if the person holds a valid archery hunting license and may, except as otherwise provided in this Part, hunt any wild bird or wild animal with a crossbow during any open season on that bird or animal if the person holds a valid archery license or any hunting license that is not a junior hunting license or an apprenticeship hunter license and a valid crossbow ~~hunting license permit~~.

Sec. 2. 12 MRSA §10953, sub-§1, ¶E, as enacted by PL 2019, c. 98, §1, is amended to read:

E. Notwithstanding the restriction in section 11403 to hunting with bow and arrow only, hunt deer with a crossbow during the 2020, 2021 and 2022 ~~open-archery~~ archery-only hunting season on deer established by the commissioner in accordance with rules adopted pursuant to section 11403. A Except as provided in subsection 1-C and section 10853, subsection 11, a person may not take an antlerless deer with a

crossbow under this paragraph during an open archery season on deer unless that person possesses an antlerless deer permit in accordance with section 11152. A person 65 years of age or older who hunts deer with a crossbow pursuant to this paragraph and subsection 1-C and a person who holds a permit under section 10853, subsection 11 and hunts deer with a crossbow pursuant to this paragraph may not take an antlerless deer in a wildlife management district for which antlerless deer permits have not been issued.

This paragraph is repealed January 1, 2023; and

Sec. 3. 12 MRSA §10953, sub-§1-C, as amended by PL 2019, c. 325, §3, is further amended to read:

1-C. Hunting with a crossbow; 65 years of age or older. A person 65 years of age or older who meets the eligibility requirements of sections 11105, 11106 and 11162 may hunt a wild bird or a wild animal with a crossbow during any open season on that wild bird or wild animal subject to this Part- and may take an antlerless deer with a crossbow during the regular archery-only deer hunting season without an antlerless deer permit issued in accordance with section 11152.

Sec. 4. 12 MRSA §11162, sub-§1, as reallocated by RR 2015, c. 1, §8, is amended to read:

1. Hunting or archery license. A resident or nonresident 16 years of age or older who has satisfied the requirements of subsection 3 3-A or who is exempt under subsection 4 and who holds a valid hunting or archery hunting license or an apprenticeship hunter license or archery hunting license may obtain a crossbow permit to hunt with a crossbow from the commissioner or the commissioner's authorized agent.

Sec. 5. 12 MRSA §11162, sub-§3, as reallocated by RR 2015, c. 1, §8, is repealed.

Sec. 6. 12 MRSA §11162, sub-§3-A is enacted to read:

3-A. Crossbow hunter education requirements. Except as provided in subsection 3-B, a person, other than a person holding a junior hunting license or an apprenticeship hunter license, who applies for a crossbow permit must submit:

A. Satisfactory evidence of the following:

- (1) Successful completion of an archery hunting education program or other hunter safety course under section 10108;
- (2) Successful completion of a crossbow hunting education program under section 10108 or equivalent archery hunting education program as determined by the commissioner; or
- (3) Having previously held a valid adult archery hunting license or any valid hunting license that is not a junior hunting license or an apprenticeship hunter license and a valid crossbow permit issued specifically for the purpose of hunting

with a crossbow or bow and arrow in this State or any other state, province or country in any year after 1979.

When proof or evidence cannot be otherwise provided, the applicant may substitute a signed affidavit that the applicant has previously held the required completed archery hunting education program or hunter safety course and crossbow hunting education program or has previously held a valid archery hunting license or any valid hunting license that is not a junior hunting license or an apprenticeship hunter license and a valid crossbow permit in accordance with this section.

Sec. 7. 12 MRSA §11162, sub-§3-B is enacted to read:

3-B. Requirements exemption. A person who is an enrolled member of the Passamaquoddy Tribe, the Penobscot Nation, the Houlton Band of Maliseet Indians or the Aroostook Band of Micmacs who presents certification from the respective reservation governor or the Aroostook Micmac Council stating that the person is an enrolled member of a federally recognized nation, band or tribe listed in this subsection is exempt from the requirements of subsection 3-A.

Sec. 8. 12 MRSA §11162, sub-§4, as reallocated by RR 2015, c. 1, §8, is amended to read:

4. Crossbow hunter education course exemption for members of armed forces domiciled in State. A member of the Armed Forces of the United States on active duty who is permanently stationed outside of the United States and home on leave is exempt from crossbow hunter education course requirements under subsection 3 3-A if that member shows proof at the time of application for the license that that member's home state of record, as recorded in that person's military service records, is Maine. A person who no longer meets the requirements of this subsection must satisfy the conditions for exemption under subsection 3 3-A.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.