

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 Clarify Hunting, Fishing and Trapping Laws for Youth**

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

**Sec. 1. 12 MRSA §11108-A, sub-§7** is enacted to read:

**7. Parent or guardian; junior hunters.** A person violates this subsection if that person is the adult supervisor, parent or guardian of a holder of a valid junior hunting license and that junior hunter violates any provision of this Part pertaining to hunting.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

**Sec. 2. 12 MRSA §12201, sub-§2, ¶C**, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

C. A resident under 10 years of age may trap all legal species, except bear, without a license.

**Sec. 3. 12 MRSA §12201, sub-§7, ¶A**, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

A. A person under 10 years of age may not trap unless that person is accompanied at all times while trapping by a parent or guardian or by an adult at least 18 years of age approved by a parent or guardian. A person under 10 years of age may not trap bear.

**Sec. 4. 12 MRSA §12201, sub-§9** is enacted to read:

**9. Parent or guardian; junior trappers.** A person violates this subsection if that person is the adult supervisor, parent or guardian of a holder of a valid junior trapping license and that junior trapper violates any provision of this Part pertaining to trapping.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

**Sec. 5. 12 MRSA §12501, sub-§2, ¶B**, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

B. A nonresident fishing license to a nonresident ~~12~~16 years of age or older.

**Sec. 6. 12 MRSA §12501, sub-§5**, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is repealed.

**Sec. 7. 12 MRSA §12501, sub-§6, ¶D**, as amended by PL 2005, c. 12, Pt. III, §24, is repealed.

**Sec. 8. 12 MRSA §12503, sub-§1**, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

**1. Resident and nonresident under 16.** A resident and nonresident under 16 years of age and a nonresident under 12 years of age may fish without a license.

**Sec. 9. 12 MRSA §12612** is enacted to read:

**§ 12612. Parent or guardian; violation by minor**

A person violates this section if that person is the adult supervisor, parent or guardian of a minor under 16 years of age and that minor violates any provision of this Part pertaining to fishing.

**1. Civil violation.** A person who violates this section commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

**2. Class E crime.** A person who violates this section after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

## SUMMARY

This bill provides penalties for adult supervisors, parents and guardians of minors who violate the laws governing fishing, hunting and trapping.

This bill conforms the age requirement for licensure of nonresident anglers to that of resident anglers in accordance with an effort by the Department of Inland Fisheries and Wildlife to make fishing laws more consistent.

The bill amends the statute that allows children under 10 years of age to trap, under supervision, without a license to prohibit them from trapping bear. This is a safety concern of the Department of Inland Fisheries and Wildlife.