

## STATE OF MAINE

—  
 IN THE YEAR OF OUR LORD  
 TWO THOUSAND AND FIFTEEN

—  
 H.P. 114 - L.D. 156

**An Act To Eliminate the Minimum Age Requirement for a Junior Hunting License and Increase the Number of Times a Person May Hold an Apprentice Hunter License**

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

**Sec. 1. 12 MRSA §10853, sub-§8**, as amended by PL 2013, c. 136, §1, is further amended to read:

**8. Members of federally recognized nation, band or tribe.** The commissioner shall issue a hunting, trapping and fishing license, including an archery hunting license under this chapter, and including permits, stamps and other permission needed to hunt, trap and fish, to a person, ~~10 years of age or older~~, who is an enrolled member of the Passamaquoddy Tribe, the Penobscot Nation, the Houlton Band of Maliseet Indians or the Aroostook Band of Micmacs that is valid for the life of that person without any charge or fee pursuant to section 11109, if the person presents certification from the respective reservation governor or the Aroostook Micmac Council stating that the person described is an enrolled member of a federally recognized nation, band or tribe listed in this subsection. Holders of these licenses are subject to this Part, including, but not limited to, a lottery or drawing system for issuing a particular license or permit. Members of a federally recognized nation, band or tribe listed in this subsection are exempt from the trapper evaluation program required for a license under section 12201 and the archery hunter education course under section 11106.

**Sec. 2. 12 MRSA §11102**, as affected by PL 2003, c. 614, §9 and repealed and replaced by c. 655, Pt. B, §111 and affected by §422, is repealed.

**Sec. 3. 12 MRSA §11106, sub-§1, ¶B**, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

B. A resident or nonresident ~~10 years of age or older~~ and under 16 years of age may hunt with bow and arrow if that person holds a valid junior hunting license.

**Sec. 4. 12 MRSA §11106-A, sub-§2**, as enacted by PL 2005, c. 419, §3 and affected by §12, is amended to read:

**2. Junior license.** A resident or nonresident ~~10 years of age or older and~~ under 16 years of age may hunt with a crossbow if that person holds a valid junior hunting license.

**Sec. 5. 12 MRSA §11107, sub-§2,** as amended by PL 2005, c. 397, Pt. E, §5, is further amended to read:

**2. Junior license.** A person ~~10 years of age or older and~~ under 16 years of age may obtain a muzzle-loading permit from the commissioner or the commissioner's authorized agent if the person possesses a valid junior hunting license.

**Sec. 6. 12 MRSA §11108, sub-§1,** as amended by PL 2005, c. 419, §4 and affected by §12, is further amended to read:

**1. On certain land.** Notwithstanding section 11109, subsection 1 as it applies to this subchapter, a resident ~~over 10 years of age~~ and a member of the resident's immediate family ~~over 10 years of age~~, as long as the hunter's license to hunt is not under suspension or revocation, may hunt without a license, including, but not limited to, an archery hunting license, a crossbow hunting license and a muzzle-loading license, on a single plot of land:

- A. To which they are legally entitled to possession;
- B. On which they are actually domiciled;
- C. That is used exclusively for agricultural purposes; and
- D. That is in excess of 10 acres.

**Sec. 7. 12 MRSA §11108-B, sub-§3,** as amended by PL 2013, c. 538, §19, is further amended to read:

**3. Eligibility.** A resident or nonresident 16 years of age or older who has never held a valid adult hunting license in this State, or any other state, province or country, is eligible to obtain an apprentice hunter license. Notwithstanding section 11105, a person is eligible to obtain an apprentice hunter license without having successfully completed a hunter safety course. A person may not obtain an apprentice hunter license more than ~~twice~~ 5 times. A person selected to receive a moose permit may not then purchase an apprentice hunter license to meet the licensing requirements for that permit.

**Sec. 8. 12 MRSA §11108-C,** as enacted by PL 2013, c. 538, §20, is amended to read:

**§11108-C. Eligibility and restrictions for a junior hunting license**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

- A. "Adult supervisor" means:
  - (1) The parent or guardian of the junior hunter who holds or has held a valid Maine hunting license or successfully completed a hunter safety course that meets the requirements of section 11105; or

(2) A person 18 years of age or older who:

(a) Is approved by the parent or guardian of the junior hunter; and

(b) Holds or has held a valid Maine hunting license or successfully completed a hunter safety course that meets the requirements of section 11105.

B. "In the presence of" means in visual and voice contact without the use of visual or audio enhancement devices, including but not limited to binoculars and citizen band radios.

**2. Eligibility.** A resident or nonresident who is ~~at least 10 years of age and~~ under 16 years of age may obtain a junior hunting license, which allows that person to hunt subject to the conditions set out in this section.

**3. Supervision of junior hunters.** A hunter who is at least 10 years of age and under 16 years of age may not hunt unless that person holds a junior hunting license and is in the presence of and under the effective control of an adult supervisor. A hunter who is under 10 years of age may not hunt unless that person holds a junior hunting license and is in the presence of and under the effective control of an adult supervisor who remains at all times within 20 feet of that hunter.

**4. Supervision of junior hunters 16 years of age.** A hunter 16 years of age who obtained a junior ~~hunter~~ hunter hunting license before that person reached 16 years of age may not hunt with that license unless the person is in the presence of ~~or~~ and under the effective control of an adult supervisor or the person has successfully completed a hunter safety course acceptable under section 11105. The following penalties apply to a violation of this subsection:

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; and

B. A person who violates paragraph A 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.

**5. Expiration of junior hunting license issued to person 15 years of age.** A junior hunting license issued to a person who is 15 years of age is valid through the calendar year for which the license is issued. In addition to the requirements of subsection 4, all other permit requirements applicable to a person who is 16 years of age or older apply to a person who continues to hunt with a junior hunting license under this subsection after reaching that person's 16th birthday.

**6. Penalties for supervisors of junior hunters.** A person who is the adult supervisor of a holder of a valid junior hunting license when that junior hunter violates any provision of this Part pertaining to hunting:

A. Commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged; and

B. 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. 9. 12 MRSA §11109, sub-§3, ¶A**, as amended by PL 2013, c. 538, §21, is further amended to read:

A. A resident junior hunting license, for a person ~~10 years of age or older and~~ under 16 years of age, is \$7. Notwithstanding the permit fees established in subchapter 3, a resident junior hunting license includes all permits, stamps and other permissions needed to hunt at no additional cost. A resident junior hunting license does not exempt the holder of the license from lottery-related application requirements under this Part.

**Sec. 10. 12 MRSA §11109, sub-§3, ¶F**, as repealed and replaced by PL 2013, c. 538, §22, is amended to read:

F. A nonresident junior hunting license, for a person ~~10 years of age or older and~~ under 16 years of age, is \$34. A nonresident junior hunting license does not exempt the holder of the license from lottery-related application requirements under this Part.

**Sec. 11. 12 MRSA §11154, sub-§13**, as enacted by PL 2005, c. 143, §1, is amended to read:

**13. Hunting adventure permits for children.** Notwithstanding subsection 6 ~~and section 11102~~, the commissioner may issue 2 moose permits to a nonprofit organization dedicated to providing hunting and fishing adventures to children under 21 years of age with life-threatening, critical or terminal illnesses. The commissioner may issue these permits upon written request by an eligible nonprofit organization but may not issue more than 2 permits in total for a calendar year. These permits are in addition to the moose hunting permits issued under subsection 2 for each wildlife management district and are at no cost to the organization.

**Sec. 12. Effective date.** This Act takes effect January 1, 2016.