

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1519

S.P. 466

In Senate, March 8, 2001

An Act to Allow Children Less than 16 Years of Age to Hunt, Fish and Trap without a License.

Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator DAVIS of Piscataquis.
Cosponsored by Representative CARR of Lincoln and
President Pro Tem BENNETT of Oxford, Senators: FERGUSON of Oxford, SMALL of
Sagadahoc, WOODCOCK of Franklin, Representatives: PEAVEY of Woolwich, POVICH of
Ellsworth, STANLEY of Medway, TOBIN of Dexter.

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

2 **Sec. 1. 12 MRSA §7101, sub-§1, ¶A**, as enacted by PL 1979, c.
4 420, §1, is amended to read:

6 A. Any resident or nonresident ~~over-10~~ 16 years of age and
8 older may obtain a written license to hunt wild animals and
wild birds from the commissioner or ~~his~~ the commissioner's
10 authorized agent. ~~No~~ A resident or nonresident under ~~10~~ 16
years of age may hunt wild animals or wild birds with
12 firearms at any time without a license.

14 **Sec. 2. 12 MRSA §7101, sub-§5, ¶A**, as repealed and replaced by
PL 1993, c. 419, §5, is repealed.

16 **Sec. 3. 12 MRSA §7101, sub-§5, ¶G**, as amended by PL 1997, c.
18 432, §17, is repealed.

20 **Sec. 4. 12 MRSA §7101, sub-§7-A**, as corrected by RR 1999, c.
1, §22, is amended to read:

22 **7-A. Restrictions.** Any resident or nonresident hunter 10
years of age or older and under 16 years of age may hunt with
24 firearms only in the presence of:

26 A. That hunter's parent or guardian; or

28 B. A person at least 18 years of age approved by that
hunter's parent or guardian who either holds a valid Maine
30 hunting license or has successfully completed a hunter
safety course acceptable under the provisions of sections
32 7035 and 7071.

34 For the purposes of this subsection, "in the presence of" means
in visual and voice contact without the use of visual or audio
36 enhancement devices, including binoculars and citizen band
radios. A hunter who is 16 years of age ~~and-who-is-hunting~~ prior
38 to hunting without the adult supervision required by this section
must complete a hunter safety course.

40 **Sec. 5. 12 MRSA §7102-A, sub-§1, ¶B**, as enacted by PL 1993, c.
42 24, §3 and affected by §7, is amended to read:

44 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~~
46 ~~person-holds-a-valid-junior-hunting~~ without a license.

48 **Sec. 6. 12 MRSA §7102-B, sub-§4**, as amended by PL 1999, c. 16,
Pt. G, §2, is further amended to read:

2 **4. License fee.** The fee for a resident expanded archery
4 deer hunting license is \$40. The fee for a nonresident expanded
6 archery deer hunting license is \$80. A person 10 years of age or
8 older and under 16 years of age may hunt with a bow and arrow
10 during the expanded archery deer hunting season ~~if that person~~
12 ~~possesses a valid junior hunting~~ without a license. Each license
14 holder may take 2 deer during the expanded archery deer hunting
16 season.

18 **Sec. 7. 12 MRSA §7107-A, sub-§1, ¶B,** as enacted by PL 1993, c.
20 47, §1, is amended to read:

22 B. Any person 10 years of age or older and under 16 years
24 of age ~~may obtain a muzzle-loading license from the~~
26 ~~commissioner or the commissioner's authorized agent,~~
28 ~~provided that the person possesses a valid junior hunting~~
30 ~~does not require a~~ license.

32 **Sec. 8. 12 MRSA §7133, sub-§1, ¶B,** as enacted by PL 1979, c.
34 729, §2, is repealed.

36 **Sec. 9. 12 MRSA §7133, sub-§3, ¶C,** as enacted by PL 1981, c.
38 123, §1, is repealed.

40 **Sec. 10. 12 MRSA §7133, sub-§5, ¶D,** as enacted by PL 1989, c.
42 493, §17, is amended to read:

44 D. Any person over 10 years of age and under 16 years of
46 age ~~who holds a junior trapping license shall~~ must be
48 accompanied by an adult at all times while trapping, unless
50 the ~~holder of the junior trapping license~~ minor submits
proof of having successfully completed an education course
of the type described in subsection 8.

Sec. 11. 12 MRSA §7133, sub-§7, as amended by PL 1987, c. 317,
§9, is further amended to read:

7. Successful completion of trapper evaluation program
required for license. Any person who applies for a state license
to trap ~~other than a junior license~~ shall submit proof of having
successfully completed an education course of the type described
in subsection 8 or satisfactory evidence of having previously
held an adult license to trap in this State or any other state,
province or country in any year beginning with 1978.

When proof or evidence cannot otherwise be provided, the person
may substitute a signed affidavit that ~~he~~ the person has
previously held the required adult trapping license or that ~~he~~
the person has successfully completed the required trapper
education course.

2 The provisions of this subsection shall take effect July 1, 1988.

4 **Sec. 12. 12 MRSA §7151, sub-§1, ¶¶B and C**, as enacted by PL
1979, c. 420, §1, are amended to read:

6
8 B. Any nonresident ~~12~~ 16 years of age or older is eligible
to purchase a nonresident fishing license. b! 1979, c.
420, @1 (new). ?b

10
12 C. Any resident or nonresident under 16 years of age and
~~any nonresident under 12 years of age~~ may fish without a
license.

14
16 **Sec. 13. 12 MRSA §7151, sub-§5. ¶D**, as repealed and replaced by
PL 1993, c. 419, §13, is repealed.

18
20 **Sec. 14. 12 MRSA §7406, sub-§21**, as amended by PL 1999, c.
134, §3, is repealed and the following enacted in its place:

22 **21. Allowing a child under 16 years of age to hunt without**
adult supervision. A person is guilty of allowing a child under
16 years of age to hunt without adult supervision if that person
who is the adult supervisor, parent or guardian of a child under
16 years of age allows that child to hunt other than in the
presence of, and under the supervision of, an adult as provided
in section 7101, subsection 7-A.

28

30

SUMMARY

32 This bill eliminates all references to junior hunting
34 licenses and allows children under 16 years of age to hunt
without a license, in the presence of an adult.