

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 1122

H.P. 825

House of Representatives, March 4, 2003

An Act To Allow A Junior Hunter To Apply for an Antlerless Deer Permit

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative CRESSEY of Baldwin.
Cosponsored by Senator DAVIS of Piscataquis and
Representatives: BERRY of Belmont, CARR of Lincoln, DUPREY of Hampden, GLYNN of
South Portland, JOY of Crystal, McCORMICK of West Gardiner, MOODY of Manchester,
RICHARDSON of Skowhegan.

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

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

6 **7-A. Restrictions.** Any resident or nonresident hunter 10
7 years of age or older and under 16 years of age may hunt with
8 firearms only in the presence of:

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

12 B. A person at least 18 years of age approved by that
13 hunter's parent or guardian who either holds a valid Maine
14 hunting license or has successfully completed a hunter
15 safety course acceptable under the provisions of sections
16 7035 and 7071.

18 For the purposes of this subsection, "in the presence of" means
19 in visual and voice contact without the use of visual or audio
20 enhancement devices, including binoculars and citizen band
21 radios. A hunter who is 16 years of age and who is hunting with
22 a junior hunting license prior to hunting without the adult
23 supervision required by this section must complete a hunter
24 safety course. A junior hunter who will be 10 years of age by
25 the first day of hunting season may apply for the junior hunter
26 license before the junior hunter's birthday.

28 **Sec. 2. 12 MRSA §7457, sub-§1, ¶H**, as amended by PL 2001, c.
29 690, Pt. A, §8 and affected by §18, is further amended to read:

30 H. The commissioner may regulate the taking of antlerless
31 deer within any area of the State, as necessary, to maintain
32 deer populations in balance with available habitat if the
33 following conditions are met.

34 (1) The demarcation of each area must follow
35 recognizable physical boundaries such as rivers, roads
36 and railroad rights-of-way.

37 (2) The determination must be made and published prior
38 to August 1st of each year.

39 (4) The commissioner may adopt rules necessary for the
40 administration, implementation, enforcement and
41 interpretation of this subsection, except that there
42 may not be an antlerless deer permit system unless
43 otherwise specified in this paragraph. Any rules
44 adopted by the commissioner that provide for permits to
45 be issued to nonresident or alien hunters must provide
46 that:

2 (a) The percentage of antlerless deer permits
4 issued to nonresident and alien hunters may not
6 exceed the average percentage of applicants for
antlerless deer permits over the previous 3 years
who were nonresidents or aliens; and

8 (b) No more than 15% of the antlerless deer
10 permits issued in any one district or in any one
zone may be issued to nonresident and alien
12 hunters.

14 (5) An antlerless deer permit system adopted by the
commissioner pursuant to this section may include a
16 provision giving special consideration to landowners
who keep their lands open to hunting by the public.
18 Any 2 or more areas of land owned by the same person
that are open for hunting and that would be contiguous
20 except for being divided by one or more roads are
considered contiguous for the purposes of determining
22 landowner eligibility for special consideration under
this subparagraph.

24 A junior hunter may apply for an antlerless deer permit. A
junior hunter or a person 65 years of age or older may take
26 an antlerless deer, if a person who holds a valid antlerless
deer permit transfers the permit to the junior hunter or
28 person 65 years of age or older by identifying the name, age
and address of the transferee on the permit as well as any
30 other information reasonably requested by the commissioner
and then returns the permit to the department prior to the
32 start of the firearm season on deer. The commissioner shall
record the transfer and return the permit to the junior
34 hunter or person 65 years of age or older. A valid permit
must be in the possession of the transferee in order for the
36 transferee to take an antlerless deer. If the person
transfers the permit to the junior hunter or person 65 years
38 of age or older, that person is prohibited from taking an
antlerless deer.

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SUMMARY

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This bill allows a junior hunter to apply for a junior
hunting license before the junior hunter's 10th birthday, if the
junior hunter will be 10 years of age by the first day of hunting
season. It also allows a junior hunter to apply for an antlerless
deer permit.