# MAINE STATE LEGISLATURE

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1 2	Date: 5   15   07 (Filing No. H-238)
3	INLAND FISHERIES AND WILDLIFE
4	Reproduced and distributed under the direction of the Clerk of the House.
5	STATE OF MAINE
6	HOUSE OF REPRESENTATIVES
7	123RD LEGISLATURE
8	FIRST REGULAR SESSION
9 10	COMMITTEE AMENDMENT "A" to H.P. 370, L.D. 486, Bill, "An Act To Establish an Apprenticeship Hunter License Program"
11	Amend the bill by striking out all of sections 6 to 8 and inserting the following:
12 13	'Sec. 6. 12 MRSA §11108-B is enacted to read: §11108-B. Apprenticeship hunter license restrictions
14 15 16	1. Supervisor required. A holder of an apprenticeship hunter license may not hunt other than in the presence of a person at least 18 years of age who holds a valid Maine hunting license.
17	A. The following penalties apply to violations of this subsection.
18 19	(1) A person who violates this subsection commits a civil violation for which a fine of not less than \$500 and not more than \$1,000 may be adjudged.
20 21 22	(2) 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.
23 24 25 26 27 28	2. Supervisor eligibility and responsibility. A supervisor must have held a valid hunting license for the prior 5 consecutive years to be qualified to supervise a holder of an apprenticeship license. A supervisor is responsible for ensuring that the holder of an apprenticeship hunter license follows safe hunting protocol and the laws under this Part. A supervisor may not intentionally permit a person hunting under an apprenticeship hunter license with that supervisor to violate subsection 1.  A. The following penalties apply to violations of this subsection.
30	(1) A person who violates this subsection commits a civil violation for which a
31	fine of not less than \$500 must be adjudged.

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- 1 (2) A person who violates this subsection after having been adjudicated as
  2 having committed 3 or more civil violations under this Part within the previous
  3 5-year period commits a Class E crime.
  - 3. Eligibility. A person who is 16 years of age or older and not a holder of a valid hunting license or junior hunting license may hold an apprenticeship hunter license. A person may not be issued an apprenticeship hunter license after having held an apprenticeship hunter license under section 11109.
- 4. Expiration of apprenticeship hunter license. An apprenticeship hunter license
   is valid for up to 12 calendar months and expires on December 31st.
- 5. Definition. For purposes of this section, "in the presence of " means in visual and voice contact without the use of visual or audio enhancement devices, including binoculars and citizen band radios. For purposes of this section, "supervisor" means a person or persons who are 18 years of age or older, hold a valid Maine hunting license and are hunting with a person holding an apprenticeship hunter license.
- 15 Sec. 7. 12 MRSA §11109, sub-§3, ¶E-1 is enacted to read:
- E-1. A resident apprenticeship hunter license, which includes a bear hunting permit and a wild turkey hunting permit under sections 11151 and 11155 respectively, is \$21.
- 19 Sec. 8. 12 MRSA §11109, sub-§3, ¶O is enacted to read:
- O. A nonresident small game apprenticeship hunter license, which permits the hunting of all legal species except deer, bear, turkey, moose, raccoon and bobcat, is \$67.
- 23 Sec. 9. 12 MRSA §11109, sub-§3, ¶P is enacted to read:
- P. A nonresident big game apprenticeship hunter license, which permits the hunting of all legal species and includes a bear hunting permit and a wild turkey hunting permit under sections 11151 and 11155 respectively, is \$102.'

27 SUMMARY

- This amendment modifies the apprenticeship hunter license restriction provisions of the bill to:
- 1. Remove provisions that allow a person who does not hold a Maine hunting license but has passed a hunter safety course to serve as a supervisor to an apprentice hunter;
- 2. Increase the fine for a person hunting under an apprenticeship hunter license without being in the presence of a supervisor from a fine of not less than \$100 and not more than \$500 to a fine of not less than \$500 and not more than \$1,000;
  - 3. Provide that a supervisor must have held a hunting license for the prior 5 years to be eligible to be a supervisor and provide that the supervisor is responsible for ensuring that the apprentice hunter follows safe hunting protocol and hunting laws;
- 4. Provide that a supervisor may not intentionally permit a person hunting under an apprenticeship hunter license with that supervisor to hunt outside of that supervisor's

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- presence and make a violation of that requirement a civil violation for which a fine of not less than \$500 must be imposed;
- 5. Provide that a person is eligible to hold an apprenticeship hunter license only once and that the license expires on December 31st;
  - 6. Provide that a resident and a nonresident big game apprenticeship hunter license each includes a bear hunting permit and a wild turkey hunting permit and that the resident license costs \$21 and the nonresident license costs \$102; and
    - 7. Provide for a nonresident small game apprenticeship hunter license for \$67.

FISCAL NOTE REQUIRED (See attached)

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## 123rd MAINE LEGISLATURE

LD 486

LR 637(02)

An Act To Establish an Apprenticeship Hunter License Program

Fiscal Note for Bill as Amended by Committee Amendment "H"
Committee: Inland Fisheries and Wildlife
Fiscal Note Required: Yes

#### **Fiscal Note**

	2007-08	2008-09	Projections 2009-10	Projections 2010-11
Net Cost (Savings) General Fund	\$0	(\$10,550)	(\$10,550)	(\$10,550)
Revenue General Fund	\$0	\$10,550	\$10,550	\$10,550

### **Correctional and Judicial Impact Statements**

Establishes new civil violations and Class E crimes. Sentences for a Class E crime must be served in a County Jail. The average cost to a county for each Class E sentence is \$2,959 based on an average length of stay of 27 days. The collection of additional fines may also increase General Fund revenue by minor amounts.

#### **Fiscal Detail and Notes**

The establishment of fees for various apprenticeship hunter licenses will result in an increase in General Fund revenue collected by the Department of Inland Fisheries and Wildlife. Beginning in fiscal year 2008-09, the estimated annual amount is \$10,555. The Governor's proposed General Fund budgeted appropriations for the department exceed budgeted General Fund revenue to be collected by the department by \$1,902,136 and \$2,399,297 in fiscal years 2007-08 and 2008-09, respectively. If the total amounts of budgeted departmental General Fund revenue approved by the 1st Session of the 123rd Legislature exceed the appropriated amounts, the Legislature will be required to appropriate additional General Fund amounts to meet the constitutional requirement that the total level of General Fund appropriations must be at least equal to the undedicated revenue collected by the department.