

# MAINE STATE LEGISLATURE

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# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 879

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S.P. 304

In Senate, March 5, 2013

### **An Act To Increase State Wildlife Revenues and Grow the Hunting and Fishing Industries**

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

A handwritten signature in black ink, appearing to read "D M Grant".

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator TUTTLE of York.

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

2 **Sec. 1. 12 MRSA §10001, sub-§2-A** is enacted to read:

3 **2-A. Antlerless deer.** "Antlerless deer" means a deer without antlers or without any  
4 antler that has 3 or more antler points on one side.

5 **Sec. 2. 12 MRSA §10851, sub-§1, ¶C,** as affected by PL 2003, c. 614, §9 and  
6 amended by c. 655, Pt. B, §92 and affected by §422, is further amended to read:

7 C. For a resident from 65 to 69 years of age:

8 (1) A senior resident lifetime fishing license. The fee for a senior resident  
9 lifetime fishing license is \$50 for a person who purchases the license in the year  
10 in which that person turns 65 years of age, \$40 for a person who purchases the  
11 license in the year in which that person turns 66 years of age, \$30 for a person  
12 who purchases the license in the year in which that person turns 67 years of age,  
13 \$20 for a person who purchases the license in the year in which that person turns  
14 68 years of age and \$10 for a person who purchases the license in the year in  
15 which that person turns 69 years of age;

16 (2) A senior resident lifetime hunting license. The fee for a senior resident  
17 lifetime hunting license is \$50 for a person who purchases the license in the year  
18 in which that person turns 65 years of age, \$40 for a person who purchases the  
19 license in the year in which that person turns 66 years of age, \$30 for a person  
20 who purchases the license in the year in which that person turns 67 years of age,  
21 \$20 for a person who purchases the license in the year in which that person turns  
22 68 years of age and \$10 for a person who purchases the license in the year in  
23 which that person turns 69 years of age;

24 (3) A senior resident lifetime archery hunting license. The fee for a senior  
25 resident lifetime archery hunting license is \$50 for a person who purchases the  
26 license in the year in which that person turns 65 years of age, \$40 for a person  
27 who purchases the license in the year in which that person turns 66 years of age,  
28 \$30 for a person who purchases the license in the year in which that person turns  
29 67 years of age, \$20 for a person who purchases the license in the year in which  
30 that person turns 68 years of age and \$10 for a person who purchases the license  
31 in the year in which that person turns 69 years of age;

32 (3-A) A senior resident lifetime trapping license. The fee for a senior resident  
33 lifetime trapping license is \$50 for a person who purchases the license in the year  
34 in which that person turns 65 years of age, \$40 for a person who purchases the  
35 license in the year in which that person turns 66 years of age, \$30 for a person  
36 who purchases the license in the year in which that person turns 67 years of age,  
37 \$20 for a person who purchases the license in the year in which that person turns  
38 68 years of age and \$10 for a person who purchases the license in the year in  
39 which that person turns 69 years of age;

40 (4) A senior resident combination of any 2 lifetime licenses. The fee for a senior  
41 resident combination of any 2 lifetime licenses is \$80 for a person who purchases  
42 the license in the year in which that person turns 65 years of age, \$64 for a person

1 who purchases the license in the year in which that person turns 66 years of age,  
2 \$48 for a person who purchases the license in the year in which that person turns  
3 67 years of age, \$32 for a person who purchases the license in the year in which  
4 that person turns 68 years of age and \$16 for a person who purchases the license  
5 in the year in which that person turns 69 years of age; and

6 (5) A senior resident combination of any 3 lifetime licenses. The fee for a senior  
7 resident combination of any 3 lifetime licenses is \$110 for a person who  
8 purchases the license in the year in which that person turns 65 years of age, \$94  
9 for a person who purchases the license in the year in which that person turns 66  
10 years of age, \$78 for a person who purchases the license in the year in which that  
11 person turns 67 years of age, \$52 for a person who purchases the license in the  
12 year in which that person turns 68 years of age and \$26 for a person who  
13 purchases the license in the year in which that person turns 69 years of age; ~~and~~

14 **Sec. 3. 12 MRSA §10851, sub-§1, ¶D**, as amended by PL 2011, c. 253, §12, is  
15 further amended to read:

16 D. For a resident 70 years of age or older. For a person who holds a valid senior  
17 lifetime license under this section at any time during the calendar year that person  
18 turns 70 years of age, that lifetime license includes all hunting permits and licenses  
19 authorized in this Part and may renew at no cost a guide license under section 12853.  
20 A person who is 70 years of age or older may purchase a senior lifetime license that  
21 entitles the holder to all the privileges described in this paragraph for a one-time \$8  
22 fee; and

23 **Sec. 4. 12 MRSA §10851, sub-§1, ¶E** is enacted to read:

24 E. For a nonresident 65 years of age or older. A nonresident who is 65 years of age  
25 or older may purchase a senior nonresident lifetime license that includes all permits  
26 and licenses authorized in this Part for a one-time \$500 fee.

27 **Sec. 5. 12 MRSA §10851, last ¶**, as amended by PL 2009, c. 404, §1, is further  
28 amended to read:

29 A person must be a resident to purchase a senior resident lifetime license under  
30 subsection 1, paragraphs C and D. A person who is a nonresident may purchase a senior  
31 nonresident lifetime license under paragraph E. Once purchased, a lifetime license is  
32 valid for the life of the holder without regard to subsequent changes in the legal residence  
33 of the holder. The license entitles the holder to all fishing or hunting privileges extended  
34 to residents or nonresidents as applicable of that same age who hold the equivalent annual  
35 license and subjects the holder to all limitations and prerequisites on those fishing or  
36 hunting privileges that apply to residents or nonresidents of that same age who hold the  
37 equivalent annual license.

38 **Sec. 6. 12 MRSA §10853, sub-§4**, as amended by PL 2007, c. 651, §10, is  
39 further amended to read:

40 **4. Disabled veteran.** A resident disabled veteran or a nonresident disabled veteran  
41 who is a resident of New Hampshire or Vermont may obtain upon application, at no cost,

1 all hunting, trapping and fishing licenses, including permits, stamps and other permission  
2 needed to hunt, trap and fish, and, upon meeting the qualifications as established in  
3 section 12853, subsection 4, a guide license. The commissioner shall issue all fishing,  
4 trapping and hunting licenses and permits requested under this subsection if the  
5 commissioner determines the applicant is a ~~resident~~ disabled veteran and is not otherwise  
6 ineligible to hold that permit or license. For the purposes of this subsection, "~~resident~~  
7 disabled veteran" means a person who:

8 A. Is a resident as defined in section 10001, subsection 53 or is a resident of New  
9 Hampshire or Vermont;

10 B. Is a veteran as defined in Title 37-B, section 505, subsection 2, paragraph A,  
11 subparagraph (3); and

12 C. Has a service-connected disability evaluated at:

13 (1) One hundred percent; or

14 (2) Seventy percent or more as a result of honorable military service and who  
15 has served in a combat zone during any armed conflict in which participants were  
16 exposed to war risk hazards as defined in 42 United States Code, Section 1711  
17 (b).

18 Each application must be accompanied by satisfactory evidence that the applicant meets  
19 the requirements of this subsection. An applicant for a license or permit under this  
20 section is subject to the provisions of this Part, including, but not limited to, a lottery or  
21 drawing system for issuing a particular license or permit. A permit or license issued  
22 under this subsection remains valid for the life of the permit or license holder, as long as  
23 the permit or license holder continues to satisfy the residency requirement in section  
24 10001, subsection 53 and the permit or license is not revoked or suspended. For a  
25 resident of New Hampshire or Vermont to be eligible under this subsection, that resident's  
26 state must have a reciprocal agreement with this State.

27 **Sec. 7. Report out legislation.** The Joint Standing Committee on Inland  
28 Fisheries and Wildlife shall develop a definition of "deer wintering area" and shall  
29 develop tax incentives for landowners to take steps to protect deer wintering areas. The  
30 committee may report out legislation on these issues to the Second Regular Session of the  
31 126th Legislature.

32 **Sec. 8. Report to the Joint Standing Committee on Inland Fisheries and**  
33 **Wildlife.** The Department of Inland Fisheries and Wildlife, referred to in this section as  
34 "the department," shall work with land trusts to develop methods of protecting deer  
35 wintering areas by conservation easement.

36 The department shall report its findings and recommendations concerning protection  
37 of deer wintering areas to the Joint Standing Committee on Inland Fisheries and Wildlife  
38 no later than January 15, 2014.

## 39 SUMMARY

40 This bill:

- 1           1. Limits the taking of bucks to those with 3 or more antler points on one side for  
2 those hunters without antlerless deer permits;
- 3           2. Creates a lifetime combination license for a nonresident 65 years of age or older  
4 for a \$500 fee;
- 5           3. Allows a 100% disabled veteran who is a resident of New Hampshire or Vermont  
6 to obtain free hunting, trapping and fishing licenses if that veteran's state has a reciprocal  
7 agreement with Maine;
- 8           4. Directs the Joint Standing Committee on Inland Fisheries and Wildlife to define  
9 "deer wintering area" and to develop tax incentives for landowners to take steps to protect  
10 deer wintering areas; and
- 11          5. Directs the Department of Inland Fisheries and Wildlife to work with land trusts to  
12 develop ways to protect deer wintering areas by conservation easement.