

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

SECOND REGULAR SESSION-2014

Legislative Document

No. 1667

S.P. 662

In Senate, December 23, 2013

An Act To Amend Certain Provisions of Inland Fisheries and Wildlife Laws

Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 204.
Received by the Secretary of the Senate on December 23, 2013. Referred to the Committee
on Inland Fisheries and Wildlife pursuant to Joint Rule 308.2 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 DUTREMBLE of York.
Cosponsored by Senator: BURNS of Washington, Representative: DAVIS of Sangerville.

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

2 **Sec. 1. 12 MRSA §10801, sub-§6, ¶B**, as enacted by PL 2003, c. 414, Pt. A, §2
3 and affected by c. 614, §9, is repealed.

4 **Sec. 2. 12 MRSA §10953, sub-§1**, as repealed and replaced by PL 2013, c. 236,
5 §3, is amended to read:

6 **1. Species and seasons.** ~~Except as provided in this Part, a~~ A person may:

7 A. Hunt bear with a crossbow during the open season on bear as provided in section
8 11251;

9 B. Hunt wild turkey with a crossbow during the spring open season on wild turkey in
10 areas open to wild turkey hunting as established by rule in section 11701;

11 C. Hunt moose with a crossbow in areas of the State open to moose hunting during
12 the open season on moose established by rule in section 11552, subsections 1 and 2
13 and according to the rules pertaining to moose hunting permits adopted by the
14 commissioner for the protection of the moose resource under section 11551 and in
15 accordance with the provisions of section 11601; and

16 D. Hunt deer with a crossbow during the open firearm season on deer as provided in
17 section 11401. ~~This paragraph does not authorize a person to hunt deer with a~~
18 ~~crossbow during an expanded archery season established under section 11403 or in~~
19 ~~an expanded archery zone or during the muzzle-loading only deer hunting season~~
20 ~~established under section 11404, except as provided in subsection 1-A.~~

21 **Sec. 3. 12 MRSA §10953, sub-§1-A**, as enacted by PL 2011, c. 61, §3, is
22 repealed.

23 **Sec. 4. 12 MRSA §10953, sub-§1-B** is enacted to read:

24 **1-B. Hunting with a crossbow; 70 years of age or older.** A person 70 years of age
25 or older may hunt a wild bird or a wild animal with a crossbow during any open season
26 on that wild bird or wild animal, subject to this Part. A person 70 years of age or older
27 may hunt deer with a crossbow during a regular archery-only season established under
28 section 11403 or in an expanded archery zone or during the muzzle-loading-only deer
29 hunting season established under section 11404.

30 This subsection is repealed January 1, 2015.

31 **Sec. 5. 12 MRSA §11109, sub-§3, ¶A**, as amended by PL 2013, c. 213, §1, is
32 further amended to read:

33 A. A resident junior hunting license, for a person 10 years of age or older and under
34 16 years of age, is \$7. Notwithstanding the permit fees established in subchapter 3, a
35 resident junior hunting license includes all permits, stamps and other permissions
36 needed to hunt at no additional cost. A resident junior hunting license does not
37 ~~include an antlerless deer permit~~ exempt the holder of the license from lottery-related
38 application requirements under this Part.

1 **Sec. 6. 12 MRSA §11109, sub-§3, ¶F**, as amended by PL 2013, c. 213, §2 and c.
2 408, §12, is repealed and the following enacted in its place:

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

6 **Sec. 7. 12 MRSA §11152, sub-§7**, as amended by PL 2013, c. 408, §13, is
7 further amended to read:

8 **7. Special antlerless deer permit.** The commissioner shall issue a special antlerless
9 deer permit to an eligible person who has lost all or part of one or more lower limbs, not
10 including a partial foot amputation, or is suffering from the permanent loss of use of both
11 lower limbs. The commissioner shall issue a permit upon application and after the
12 applicant verifies that person's ambulatory disability with a letter signed by a physician
13 confirming the person's condition. A person who is issued a special antlerless deer permit
14 under this subsection may take an antlerless deer in any part of the State open to the
15 taking of antlerless deer pursuant to subsection 3.

16 **Sec. 8. 12 MRSA §11208**, as amended by PL 2005, c. 477, §7, is further amended
17 to read:

18 **§11208. Unlawful shooting or discharge of firearm, bow and arrow or crossbow**

19 **1. Shooting or discharge of firearm, bow and arrow or crossbow over or near**
20 **public paved way.** A person may not:

21 A. Shoot at any wild animal or wild bird from any public paved way or within 10
22 feet of the edge of the pavement of the public paved way or from within the right-of-
23 way of any controlled access highway;

24 B. Discharge any firearm, bow and arrow or crossbow over a public paved way; or

25 C. Possess any wild animal or wild bird taken in violation of paragraph A or B,
26 except as otherwise provided in this Part.

27 This subsection does not prohibit a person who has a valid permit to carry a concealed
28 weapon from possessing that weapon on or near a public paved way as long as it is not
29 used for shooting at wild animals or wild birds or discharged in violation of this
30 subsection.

31 **2. Penalty.** A person who violates subsection 1 commits a Class E crime.

32 **Sec. 9. 12 MRSA §11214, sub-§1, ¶G**, as amended by PL 2005, c. 419, §6 and
33 affected by §12, is further amended to read:

34 G. ~~Except~~ Hunt a wild animal or wild bird with a set bow or, except as provided in
35 section 10953, hunt a wild animal or wild bird with a crossbow ~~or set bow~~;

36 **Sec. 10. 12 MRSA §11403, sub-§2**, as amended by PL 2011, c. 61, §4 and c.
37 298, §1, is further amended to read:

1 1. It eliminates the delinquency fee charged to agents of the Department of Inland
2 Fisheries and Wildlife who sell licenses and registrations for the department but fail to
3 remit the funds within 60 days;

4 2. It clarifies changes made by Public Law 2013, chapter 236 to the laws regarding
5 hunting with a crossbow;

6 3. It clarifies a change made to the law regarding resident junior hunting licenses to
7 specify that the license does not exempt the holder from having to comply with the
8 requirements of the lottery process, including those of the lottery for an antlerless deer
9 permit;

10 4. It corrects an error made in Public Law 2013, chapter 408, which amended the
11 qualifications for an antlerless deer permit for a person with a disability and inadvertently
12 removed from eligibility a person who is suffering from the permanent loss of use of both
13 lower limbs;

14 5. It adds the discharge of a bow and arrow to the prohibition against discharging a
15 weapon over or near a public paved way; and

16 6. It resolves a conflict created by Public Law 2013, chapters 380 and 408, which
17 repealed the same provisions of law regarding nonresident junior fishing licenses, except
18 that chapter 380 delayed the repeal until January 1, 2015 to allow the department to
19 collect revenue for another year. The conflict is resolved by delaying the repeal until
20 January 1, 2015, as in chapter 380.