

MAINE STATE LEGISLATURE

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L.D. 1409

Date: 6/15/15

(Filing No. H-435)

INLAND FISHERIES AND WILDLIFE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
127TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 958, L.D. 1409, Bill, "An Act To Clarify and Simplify the Licensing and Registration Provisions of the Inland Fisheries and Wildlife Laws"

Amend the bill in Part B in section 1 in subsection 9 in the first 2 lines (page 1, lines 32 and 33 in L.D.) by striking out the following: "3 1/2 inch by 6 inch spaces" and inserting the following: 'a space 6 inches in width by 3 1/2 inch by 6 inch spaces inches in height'

Amend the bill in Part C by inserting before section 1 the following:

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

D. For a resident 70 years of age or older. For a person who holds a valid senior lifetime license under this section at any time during the calendar year that person turns 70 years of age, that lifetime license includes all hunting permits and licenses authorized in this Part and may renew at no cost a guide license under section 12853. A license holder under this paragraph who qualifies to hunt during the special season on deer under section 11153 and who meets the eligibility requirements of section 11106 must be issued one antlerless deer permit and one either-sex permit. A person who is 70 years of age or older may purchase a senior lifetime license that entitles the holder to all the privileges described in this paragraph for a one-time \$8 fee.'

Amend the bill in Part C in section 1 in subsection 1 in the first paragraph by striking out all of the last sentence (page 2, lines 17 to 19 in L.D.)

Amend the bill in Part C in section 2 in subsection 4 by striking out all of the first paragraph (page 2, lines 37 to 41 and page 3, lines 1 to 6 in L.D.) and inserting the following:

'**4. Disabled veteran.** A resident disabled veteran or a nonresident disabled veteran who is a resident of New Hampshire or Vermont may obtain upon application, at no cost, all hunting, trapping and fishing licenses, including permits, stamps and other permission needed to hunt, trap and fish, and, upon meeting the qualifications as established in

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COMMITTEE AMENDMENT "A" to H.P. 958, L.D. 1409

1 section 12853, subsection 4, a guide license. A license holder under this subsection who
2 qualifies to hunt during the special season on deer under section 11153 and who meets
3 the eligibility requirements of section 11106 must be issued one antlerless deer permit
4 and one either-sex permit. The commissioner shall issue all fishing, trapping and hunting
5 licenses and permits requested under this subsection if the commissioner determines the
6 applicant is a disabled veteran and is not otherwise ineligible to hold that permit or
7 license. For the purposes of this subsection, "disabled veteran" means a person who:

8 Amend the bill in Part C by striking out all of sections 3 to 5 and inserting the
9 following:

10 '**Sec. C-3. 12 MRSA §10853, sub-§8**, as amended by PL 2015, c. 136, §1 and
11 affected by §12, is further amended to read:

12 **8. Members of federally recognized nation, band or tribe.** The commissioner
13 shall issue a hunting, trapping and fishing license, including an archery hunting license
14 under this chapter, and including all permits, stamps and other permission needed to hunt,
15 trap and fish, to a person who is an enrolled member of the Passamaquoddy Tribe, the
16 Penobscot Nation, the Houlton Band of Maliseet Indians or the Aroostook Band of
17 Micmacs that is valid for the life of that person without any charge or fee pursuant to
18 section 11109, if the person presents certification from the respective reservation
19 governor or the Aroostook Micmac Council stating that the person described is an
20 enrolled member of a federally recognized nation, band or tribe listed in this subsection.
21 Holders of these licenses are subject to this Part, including, but not limited to, a lottery or
22 drawing system for issuing a particular license or permit. Members of a federally
23 recognized nation, band or tribe listed in this subsection are exempt from the trapper
24 evaluation program required for a license under section 12201 and the archery hunter
25 education course under section 11106. A license holder under this subsection who
26 qualifies to hunt during the special season on deer under section 11153 and who meets
27 the eligibility requirements of section 11106 must be issued one antlerless deer permit
28 and one either-sex permit.'

29 Amend the bill in Part C in section 6 in subsection 1 by striking out all of the last
30 sentence (page 4, lines 24 to 26 in L.D.)

31 Amend the bill in Part D by striking out all of section 1 and inserting the following:

32 '**Sec. D-1. 12 MRSA §11106, sub-§1**, as amended by PL 2015, c. 136, §3 and
33 affected by §12, is further amended to read:

34 **1. Age requirement.** A person is eligible to obtain an archery hunting license as
35 provided in this section.

36 A. A resident or nonresident 16 years of age or older who has satisfied the
37 requirements of subsection 2 or holds an apprenticeship hunter license, or who is
38 exempt under subsection 3, may obtain an archery hunting license to hunt with bow
39 and arrow from the commissioner or the commissioner's authorized agent.

40 B. A resident or nonresident under 16 years of age may hunt with bow and arrow if
41 that person holds a valid junior hunting license.

42 Beginning January 1, 2016, for those persons who obtain a junior hunting license and turn
43 16 years of age during the same calendar year, the archery hunting license is included

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1 even after the person has turned 16 years of age as long as that person is hunting on that
2 person's valid junior hunting license and not longer than the remainder of the calendar
3 year for which the license is issued.'

4 Amend the bill in Part E by striking out all of section 1 and inserting the following:

5 '**Sec. E-1. 12 MRSA §11106-A**, as amended by PL 2015, c. 136, §4 and affected
6 by §12, is repealed.'

7 Amend the bill in Part E by striking out all of sections 3 and 4 and inserting the
8 following:

9 '**Sec. E-3. 12 MRSA §11108, sub-§1**, as amended by PL 2015, c. 136, §6 and
10 affected by §12, is further amended to read:

11 **1. On certain land.** Notwithstanding section 11109, subsection 1 as it applies to this
12 subchapter, a resident and a member of the resident's immediate family, as long as the
13 hunter's license to hunt is not under suspension or revocation, may hunt without a license,
14 including, but not limited to, an archery hunting license, a crossbow ~~hunting license~~
15 permit and a muzzle-loading ~~license~~ permit, on a single plot of land:

- 16 A. To which they are legally entitled to possession;
- 17 B. On which they are actually domiciled;
- 18 C. That is used exclusively for agricultural purposes; and
- 19 D. That is in excess of 10 acres.

20 **Sec. E-4. 12 MRSA §11109, sub-§3**, as amended by PL 2015, c. 90, §1; c. 127,
21 §§1 and 2 and affected by §6; and amended by c. 136, §§9 and 10 and affected by §12, is
22 further amended to read:

23 **3. Hunting licenses; combination licenses; fees.** Hunting licenses, combination
24 licenses and fees are as follows.

25 A. A resident junior hunting license, for a person under 16 years of age, is \$7 and
26 permits hunting of all legal species, subject to the permit requirements in subchapter
27 3. Notwithstanding the permit fees established in subchapter 3, a resident junior
28 hunting license includes all permits, stamps and other permissions needed to hunt at
29 no additional cost. A license holder under this paragraph who qualifies to hunt
30 during the special season on deer under section 11153 and who meets the eligibility
31 requirements of section 11106 must be issued one antlerless deer permit and one
32 either-sex permit. A resident junior hunting license does not exempt the holder of the
33 license from lottery-related application requirements under this Part.

34 B. A resident hunting license, for a person 16 years of age or older, is \$25 and
35 permits hunting of all legal species, subject to the permit requirements in subchapter
36 3.

37 C. A resident small game hunting license, for a person 16 years of age or older,
38 which permits hunting for all legal species except deer, bear, moose, raccoon and
39 bobcat, is \$14.

- 1 D. A resident combination hunting and fishing license is \$42 and permits hunting of
- 2 all legal species, subject to the permit requirements in subchapter 3.
- 3 E. A resident combination archery hunting and fishing license is \$42 and permits
- 4 hunting of all legal species, subject to the permit requirements in subchapter 3.
- 5 E-1. A resident apprenticeship hunter license, which includes a bear hunting permit
- 6 and a wild turkey hunting permit under sections 11151 and 11155, respectively, is
- 7 \$25 and permits hunting of all legal species, subject to the permit requirements in
- 8 subchapter 3.
- 9 F. A nonresident junior hunting license, for a person under 16 years of age, is \$34
- 10 and permits hunting of all legal species, subject to the permit requirements in
- 11 subchapter 3. Notwithstanding the permit fees established in subchapter 3, a
- 12 nonresident junior hunting license includes all permits, stamps and other permissions
- 13 needed to hunt at no additional cost. A license holder under this paragraph who
- 14 qualifies to hunt during the special season on deer under section 11153 and who
- 15 meets the eligibility requirements of section 11106 must be issued one antlerless deer
- 16 permit and one either-sex permit. A nonresident junior hunting license does not
- 17 exempt the holder of the license from lottery-related application requirements under
- 18 this Part.
- 19 G. A nonresident small game hunting license, which permits hunting of all legal
- 20 species except deer, bear, moose, raccoon and bobcat, is \$74.
- 21 H. A nonresident 3-day small game hunting license, valid for 3 consecutive hunting
- 22 days, which permits hunting of all legal species except deer, bear, turkey, moose,
- 23 raccoon and bobcat for the 72-hour period specified on the license, is \$49.
- 24 I. A nonresident ~~big game~~ hunting license, which permits hunting of all legal species
- 25 subject to the permit requirements in subchapter 3, is \$114.
- 26 J. A nonresident combination hunting and fishing license is \$149.
- 27 K. An alien small game hunting license, which permits hunting of all species except
- 28 deer, bear, moose, raccoon and bobcat, is \$79.
- 29 L. An alien ~~big game~~ hunting license, which permits hunting of all legal species
- 30 subject to the permit requirements in subchapter 3, is \$139.
- 31 M. An alien combination hunting and fishing license is \$190.
- 32 O. A nonresident small game apprenticeship hunter license, which permits the
- 33 hunting of all legal species except deer, bear, turkey, moose, raccoon and bobcat, is
- 34 \$74.
- 35 P. A nonresident ~~big game~~ apprenticeship hunter license, which permits the hunting
- 36 of all legal species and includes a bear hunting permit and a wild turkey hunting
- 37 permit under sections 11151 and 11155, respectively, is \$114.'
- 38 Amend the bill in Part E by striking out all of section 10 and inserting the following:
- 39 '**Sec. E-10. 12 MRSA §11155, sub-§1-A**, as amended by PL 2015, c. 127, §3
- 40 and affected by §6, is further amended to read:

1 1-A. Eligibility; hunting or archery license required. A person who possesses a
2 valid hunting or archery hunting license to hunt ~~big game or small game~~ may obtain a
3 permit to hunt for wild turkey from the commissioner or an authorized agent.

4 Sec. E-11. 12 MRSA §11161 is enacted to read:

5 **§11161. Eligibility for crossbow hunting permit**

6 **1. Hunting or archery license.** A resident or nonresident 16 years of age or older
7 who has satisfied the requirements of subsection 3 or who is exempt under subsection 4
8 and who holds a valid hunting or archery hunting license or an apprenticeship hunter
9 license or archery hunting license may obtain a crossbow permit to hunt with a crossbow
10 from the commissioner or the commissioner's authorized agent.

11 **2. Junior license.** A resident or nonresident and under 16 years of age may hunt
12 with a crossbow if that person holds a valid junior hunting license.

13 **3. Crossbow hunter education requirements.** Except as provided in paragraph A,
14 a person who applies for a crossbow permit other than a junior hunting license or an
15 apprenticeship hunter license must submit proof of having successfully completed an
16 archery hunting education course and a crossbow hunting course as described in section
17 10108 or equivalent crossbow and archery hunting education courses or satisfactory
18 evidence of having previously held a valid adult archery hunting license and a valid
19 crossbow permit issued specifically for the purpose of hunting with a crossbow or bow
20 and arrow in this State or any other state, province or country in any year after 1979.

21 When proof or evidence cannot be otherwise provided, the applicant may substitute a
22 signed affidavit that the applicant has previously held the required adult crossbow and
23 archery hunting license or has successfully completed the required crossbow and archery
24 hunting education courses.

25 A. A person who is an enrolled member of the Passamaquoddy Tribe, the Penobscot
26 Nation, the Houlton Band of Maliseet Indians or the Aroostook Band of Micmacs
27 who presents certification from the respective reservation governor or the Aroostook
28 Micmac Council stating that the person is an enrolled member of a federally
29 recognized nation, band or tribe listed in this paragraph is exempt from the
30 requirements of this subsection.

31 **4. Crossbow hunter education course exemption for members of armed forces**
32 **domiciled in State.** A member of the Armed Forces of the United States on active duty
33 who is permanently stationed outside of the United States and home on leave is exempt
34 from crossbow hunter education course requirements under subsection 3 if that member
35 shows proof at the time of application for the license that that member's home state of
36 record, as recorded in that person's military service records, is Maine. A person who no
37 longer meets the requirements of this subsection must satisfy the conditions for
38 exemption under subsection 3.'

39 Amend the bill in Part F in section 2 in subsection 5 in the 4th and 5th line (page 10,
40 lines 6 and 7 in L.D.) by striking out the following: "who allows the person's license to
41 lapse or"

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COMMITTEE AMENDMENT "A" to H.P. 958, L.D. 1409

1 Amend the bill in Part F in section 4 in subsection 7 in the 2nd and 3rd lines (page
2 10, lines 17 and 18 in L.D.) by striking out the following: "30th day of June following the
3 ~~date of the~~" and inserting the following: '30th 31st day of ~~June following the date of the~~
4 December'

5 Amend the bill in Part F by inserting after section 4 the following:

6 '**Sec. F-5. Transition.** Notwithstanding the Maine Revised Statutes, Title 12,
7 section 12953, subsection 7, a license issued under Title 12, section 12953 after June 30,
8 2015 and before December 31, 2015 is valid until December 31, 2016.'

9 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
10 section number to read consecutively.

11 **SUMMARY**

12 This amendment removes the requirement in the bill that an antlerless deer permit
13 and either-sex permit be issued to the holder of a complimentary license to hunt, trap or
14 fish. The amendment adds the requirement that the holder of a license under which an
15 antlerless deer permit and either-sex permit are issued must meet the archery hunting
16 license eligibility requirements. The amendment provides that a nonresident junior
17 hunting license includes all authorizations to hunt at no cost in addition to the cost of that
18 license. The amendment alters the issuing schedule for taxidermist licenses to provide for
19 their expiration on December 31st. The amendment also makes technical changes to the
20 bill.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



Approved: 06/15/15 *MAC*

127th MAINE LEGISLATURE

LD 1409

LR 580(02)

An Act To Clarify and Simplify the Licensing and Registration Provisions of the Inland Fisheries and Wildlife Laws

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-435)
Committee: Inland Fisheries and Wildlife

Fiscal Note Required: Yes

Fiscal Note

Minor savings - General Fund
Minor revenue decrease - General Fund

Correctional and Judicial Impact Statements

Eliminates Class D and Class E crimes.

A reduction in fines will decrease General Fund revenue by minor amounts.

Fiscal Detail and Notes

Any additional costs or revenue impact to the Department of Inland Fisheries and Wildlife from implementing this legislation are expected to be minor.