

MAINE STATE LEGISLATURE

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3746
ROBS

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Date: 3/5/20

L.D. 1921

(Filing No. H-721)

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INLAND FISHERIES AND WILDLIFE

4

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STATE OF MAINE

6

HOUSE OF REPRESENTATIVES

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129TH LEGISLATURE

8

SECOND REGULAR SESSION

9

COMMITTEE AMENDMENT "A" to H.P. 1369, L.D. 1921, Bill, "An Act To Clarify and Enhance Maine's Fish and Wildlife Laws"

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Amend the bill in section 6 in §11108-C by striking out all of subsection 4 (page 2, lines 36 to 38 and page 3, lines 1 to 8 in L.D.) and inserting the following:

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4. Supervision of junior hunters 16 years of age. A hunter 16 years of age who obtained a junior hunting license before that person reached 16 years of age may not hunt with that license unless the person is in the presence of and under the effective control of ~~an adult~~ a junior hunter supervisor or the person has successfully completed a hunter safety course ~~acceptable under section 11105~~ established under section 10108 specific to the method of hunting authorized by the license. The following penalties apply to a violation of this subsection:

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A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged; and

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B. A person who violates paragraph A 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.'

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Amend the bill by adding after section 7 the following:

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'Sec. 8. 12 MRSA §12201, sub-§1-B, ¶A, as enacted by PL 2013, c. 538, §30, is amended to read:

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A. "~~Adult~~ Junior trapper supervisor" means:

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(1) The parent or guardian of the junior trapper; or

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(2) A person 18 years of age or older who:

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(a) Is approved by the parent or guardian of the junior trapper; and

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(b) Holds or has held a valid Maine trapping license or meets the requirements of subsection 3.

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1 **Sec. 9. 12 MRSA §12201, sub-§5-A** is enacted to read:

2 **5-A. Junior trapping license requirements.** A trapper 16 years of age who
 3 obtained a junior trapping license before that person reached 16 years of age may not trap
 4 with that license unless the person is in the presence of and under the effective control of
 5 a junior trapper supervisor at all times while trapping or the person has successfully
 6 completed a trapper education course established under section 10108, subsection 7. The
 7 following penalties apply to a violation of this subsection:

8 A. A person who violates this subsection commits a civil violation for which a fine
 9 of not less than \$100 nor more than \$500 may be adjudged; and

10 B. A person who violates paragraph A after having been adjudicated as having
 11 committed 3 or more civil violations under this Part within the previous 5-year period
 12 commits a Class E crime.

13 **Sec. 10. 12 MRSA §12201, sub-§7**, as amended by PL 2013, c. 538, §32, is
 14 further amended to read:

15 **7. Supervision of junior trappers.** The following provisions must be observed.

16 A. A person under 10 years of age may not trap unless that person is accompanied at
 17 all times while trapping by ~~an adult~~ a junior trapper supervisor. A person under 10
 18 years of age may not trap bear.

19 B. A person over 10 years of age and under 16 years of age may not trap unless that
 20 person:

21 (1) Holds a junior trapping license; and

22 (2) Is in the presence of and under the effective control of ~~an adult~~ a junior
 23 trapper supervisor at all times while trapping, unless the holder of the junior
 24 trapping license submits proof of having successfully completed a trapper
 25 education course of the type described in section 10108, subsection 7.

26 **Sec. 11. 12 MRSA §12201, sub-§9**, as repealed and replaced by PL 2013, c. 538,
 27 §33, is amended to read:

28 **9. Penalties for supervisors of junior trappers.** A person who is the ~~adult~~ junior
 29 trapper supervisor of a holder of a valid junior trapping license when that junior trapper
 30 violates any provision of this Part pertaining to trapping:

31 A. Commits a civil violation for which a fine of not less than \$100 nor more than
 32 \$500 may be adjudged; and

33 B. After having been adjudicated as having committed 3 or more civil violations
 34 under this Part within the previous 5-year period, commits a Class E crime.

35 **Sec. 12. 12 MRSA §12204, sub-§1, ¶B**, as amended by PL 2015, c. 301, §30, is
 36 further amended to read:

37 B. "Adult Apprentice trapper supervisor" means a person who is 18 years of age or
 38 older and has held a valid adult trapping license under this subchapter for the prior 3
 39 consecutive years.



129th MAINE LEGISLATURE

LD 1921

LR 3048(02)

An Act To Clarify and Enhance Maine's Fish and Wildlife Laws

Fiscal Note for Bill as Amended by Committee Amendment

A.(H-721)

Committee: Inland Fisheries and Wildlife

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Any additional costs to the Department of Inland Fisheries and Wildlife as a result of changes to the laws regarding public notice requirements for emergency rulemaking, the definition of a supervisor of a junior or apprentice hunter or trapper and to permits required to possess wildlife in captivity are anticipated to be minor and can be absorbed within existing budgeted resources.