

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-THIRD LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 6, 2006 to June 21, 2007**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 20, 2007**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

---

---

**Penmor Lithographers**  
**Lewiston, Maine**  
**2007**

may choose a commissioner, to be sworn, and they may determine what repairs are necessary and the materials to be furnished or amount of money to be paid by each owner for the repairs and the manner of calling future meetings. This section does not apply to ways constructed or primarily used for commercial or forest management purposes. As used in this section, "repairs" does not include paving, except to repair existing pavement or in locations where limited paving is demonstrated to be a cost-effective approach for fixing an erosion problem or to repair pavement existing as of July 1, 2007.

See title page for effective date.

**CHAPTER 163**  
**S.P. 197 - L.D. 605**

**An Act To Improve the Super Pack License**

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

**Sec. 1. 12 MRSA §11109-A**, as repealed and replaced by PL 2005, c. 477, §4, is amended to read:

**§11109-A. Super pack license**

~~A. Except as otherwise provided in this section, a super pack license includes all licenses and permits a person issued under this Part to hunt and fish all legal game and fish species, subject to the restrictions placed on the equivalent individual license licenses or permit issued under this Part permits for that those species. An individual license or permit contained in the super pack license is not valid unless the holder of the super pack license has met the eligibility requirements for that specific license or permit and is not otherwise prohibited from holding that license or permit. A person may be issued a super pack license without meeting the specific requirements of an individual license or permit contained in the super pack license, but that license or permit is invalid until the license holder meets the eligibility requirements for that particular license or permit. All restrictions and conditions on hunting and fishing apply to a super pack licensee, including issuance and eligibility requirements for the equivalent license or permit.~~

**1. Moose lottery chances.** A super pack license includes, upon application, 6 chances in the moose lottery under section 11154, subsection 6.

**2. Antlerless deer permit.** A super pack license includes an antlerless deer permit as provided under section 11152, except that it is valid only for antlerless deer in wildlife management districts in which at least 5,000 antlerless deer permits are issued. No more than 2.5% of those antlerless deer permits may be in the form of a super pack license. The commissioner shall

implement a system for issuing antlerless deer permits under this subsection.

**3. Harvest of 5 deer.** Notwithstanding section 11501, a super pack license authorizes the holder to take ~~one deer during either the regular open firearm season or the special archery season or the special muzzle loading season in accordance with sections 11401, 11403 and 11404, respectively, and one antlerless deer pursuant to subsection 2.;~~

A. One deer during either the regular open firearm season or the regular archery-only season or the special muzzle-loading season in accordance with sections 11401, 11403 and 11404, respectively;

B. One deer in accordance with subsection 2; and

C. Three deer during the special archery season in accordance with section 11402, subsection 4.

**4. Licenses not included.** A super pack license does not include ~~a moose permit or trapping privileges;~~

A. A license or permit under chapter 915, sub-chapters 13 and 15;

B. A license or permit under chapter 917;

C. A permit or certificate under chapter 921;

D. A license or permit under chapter 923, sub-chapter 2, except it does include licenses issued to fish pursuant to section 12501;

E. A license or permit under chapter 923, sub-chapter 3;

F. A license under chapter 927;

G. A permit under section 12704; or

H. A moose permit under section 11154.

**5. Fee.** The fee for a super pack license is \$200 for residents and \$175 for a person holding 2 or more lifetime licenses.

**Sec. 2. 12 MRSA §11403**, as affected by PL 2003, c. 614, §9 and amended by c. 655, Pt. B, §170 and affected by §422, is further amended to read:

**§11403. Regular archery-only deer hunting season**

**1. License required.** Except as provided in section 11108, subsection 1 or otherwise authorized by this Part, a person 16 years of age or older may not hunt deer with a bow and arrow during the special open season on deer as provided under this section unless that person has a valid archery hunting license.

Each day a person violates this subsection that person commits a Class E crime for which a minimum fine of \$50 and an amount equal to twice the applicable license fee must be imposed.

2. **Open archery season on deer.** The commissioner shall by rule establish a ~~special-archery~~ regular archery-only season beginning at least 30 days prior and extending to the beginning of the regular deer hunting season, as described in section 11401, subsection 1, paragraph A, for the purpose of hunting deer with bow and arrow only. During the ~~special-archery~~ regular archery-only season on deer, the following restrictions apply.

A. A person may not take a deer during a ~~special-archery~~ regular archery-only season unless that person uses a hand-held bow and broadhead arrow with the following specifications.

(1) Bows must have a minimum draw weight of 35 pounds.

(2) Arrowheads, including mechanical broadheads when open, must be at least 7/8 inch in width.

B. A person may not carry firearms of any kind while hunting any species of wildlife with bow and arrow during the ~~special-archery~~ regular archery-only season on deer, except that a person who holds a license that allows hunting with firearms may carry a handgun. This paragraph may not be construed to prohibit a person who holds a valid permit to carry a concealed firearm pursuant to Title 25, section 2003 from carrying a firearm.

C. If Except as provided in section 11109-A, subsection 3, if a person takes a deer with bow and arrow during the ~~special-archery~~ regular archery-only season on deer, that person is precluded from further hunting for deer during that year.

D. Except as provided in this subsection, the provisions of this Part concerning deer are applicable to the taking of deer with bow and arrow, including the transportation, registration and possession of deer taken by this method.

A person who violates this subsection commits a Class E crime.

**Sec. 3. Effective date.** This Act takes effect January 1, 2008.

Effective January 1, 2008.

**CHAPTER 164  
H.P. 477 - L.D. 628**

**An Act To Permit Modification  
of Department-initiated  
Paternity Judgments  
Concerning Parental Rights**

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

**Sec. 1. 19-A MRSA §1565, sub-§2,** as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

**2. Parental rights and responsibilities.** The court may order an initial allocation of parental rights and responsibilities. The order of the court must provide notice that if either party objects to the allocation, that party may file a complaint pursuant to section 1654 and that an order from that action supersedes this initial allocation of parental rights and responsibilities. It is within the court's discretion to award or allocate parental rights and responsibilities under this subchapter and the department is not a party to this issue. In resolving parental rights and responsibilities issues, the court may not delay entering a determination of paternity and an initial order concerning child support. After a final paternity order has been entered, the department may file a motion to withdraw. Whether or not the department has withdrawn, a party or a parent may file a motion to modify pursuant to section 1653 or section 2009. A copy of the motion must be served in accordance with the Maine Rules of Civil Procedure on the other parent and the department, if the department has not withdrawn. A showing of substantial change in circumstances is not required if the moving party has not previously appeared in the action.

**Sec. 2. Application.** This Act applies to orders issued under the Maine Revised Statutes, Title 19-A, section 1565, regardless of the date of issuance, if the initial allocation of parental rights and responsibilities is still in effect.

See title page for effective date.

---

---

**CHAPTER 165  
S.P. 87 - L.D. 250**

**An Act To Change Snowmobile  
Registration Requirements**

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

**Sec. 1. 12 MRSA §13104, sub-§9,** as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is repealed.