

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2008 to June 13, 2009

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FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 12, 2009

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

Augusta, Maine
2009

5-A. Speechreading. "Speechreading" means a technique of understanding speech by visually interpreting the movements of the lips, face and tongue with information provided by the context, language and any residual hearing.

Sec. 10. 35-A MRSA §8702, sub-§6, as enacted by PL 1989, c. 851, §7, is amended to read:

6. Telecommunications device for the deaf or TDD. "Telecommunications device for the deaf" or "TDD" means a teletypewriter, or TTY, or other telecommunication equipment used by deaf, hearing-impaired hard-of-hearing or speech impaired people persons to conduct telephone communications, including but not limited to devices required for captioned telephone service, equipment necessary to perform video relay service and 2-way paging devices.

Sec. 11. 35-A MRSA §8702, sub-§7, as enacted by PL 1989, c. 851, §7, is amended to read:

7. Telecommunications relay service. "Telecommunications relay service" means a service transmitting messages and information between a person using standard telephone equipment for spoken communications and a deaf, hearing-impaired or speech impaired person using a telecommunications device for the deaf and another person.

Sec. 12. 35-A MRSA §8703, sub-§1, as enacted by PL 1989, c. 851, §7, is amended to read:

1. Geographic availability. Services must be available on a statewide basis to the extent that they are technologically feasible.

Sec. 13. 35-A MRSA §8704, sub-§1, ¶E, as amended by PL 2005, c. 279, §17, is further amended to read:

E. Eight members appointed by the Governor as follows:

- (1) One member from the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf;
- (2) One member from a statewide association for the deaf;
- (3) One member from a center on deafness;
- (4) One member from a company the largest incumbent local exchange carrier providing telecommunications relay service in this State;
- (5) One member of a telephone association in this State, except that the representative under this subparagraph may not be a representative of the carrier under subparagraph (4);
- (6) Two members from the general public who must rely on TTYs for use telecommuni-

ations devices for the deaf as a primary means of telecommunications; and

(7) One member representing a cellular or wireless service provider.

See title page for effective date.

CHAPTER 69

S.P. 51 - L.D. 132

An Act To Clarify Hunting and Trapping Laws for Youth

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

Sec. 1. 12 MRSA §11108-A, sub-§7 is enacted to read:

7. Parent or guardian; junior hunters. A person violates this subsection if that person is the adult supervisor, parent or guardian of a holder of a valid junior hunting license and that junior hunter violates any provision of this Part pertaining to hunting.

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.

B. A person who violates this subsection 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.

Sec. 2. 12 MRSA §12201, sub-§2, ¶C, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

C. A resident under 10 years of age may trap all legal species, except bear, without a license.

Sec. 3. 12 MRSA §12201, sub-§7, ¶A, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

A. A person under 10 years of age may not trap unless that person is accompanied at all times while trapping by a parent or guardian or by an adult at least 18 years of age approved by a parent or guardian. A person under 10 years of age may not trap bear.

Sec. 4. 12 MRSA §12201, sub-§9 is enacted to read:

9. Parent or guardian; junior trappers. A person violates this subsection if that person is the adult supervisor, parent or guardian of a holder of a valid junior trapping license and that junior trapper violates any provision of this Part pertaining to trapping.

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.

B. A person who violates this subsection 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.

Sec. 5. 12 MRSA §12612 is enacted to read:
§12612. Parent or guardian; violation by minor

A person violates this section if that person is the adult supervisor, parent or guardian of a minor under 16 years of age and that minor violates any provision of this Part pertaining to fishing.

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

2. Class E crime. A person who violates this section 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.

See title page for effective date.

CHAPTER 70

H.P. 117 - L.D. 138

**An Act Regarding the
 Placement of Bait To Attract
 Wild Animals or Birds for
 Hunting**

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

Sec. 1. 12 MRSA §11227 is enacted to read:
§11227. Placement of bait for hunting

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Bait" means an animal or plant or a part of an animal or plant used to attract wild animals for the purpose of hunting. "Bait" does not include:

(1) A derivative of an animal or plant in a liquid or paste form, including but not limited to urine or commercially prepared lures or scents; or

(2) Packaging or container materials that fall within the definition of "litter" under Title 17, section 2263, subsection 2.

B. "Bait site" means the place where the bait has been placed and the immediate surrounding area.

2. Placement of bait. A person may not place bait unless the bait site is plainly labeled with a 2-inch-by-4-inch tag identifying the name and address of the person establishing the bait site.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 or more than \$500 may be adjudged.

B. A person who violates this subsection 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.

3. Hunting over another's bait. A person may not hunt at a bait site established by another person unless that person has permission from the person that established the bait site.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 or more than \$500 may be adjudged.

B. A person who violates this subsection 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.

4. Bait site cleanup. A person placing bait may not leave the bait or bait label at the bait site and must clean up the bait site immediately after the landowner requests the removal of that bait or, if not requested by the landowner, within 20 days from the last day the bait site was hunted over by the person that established the bait site.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 or more than \$500 may be adjudged.

B. A person who violates this subsection 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.

5. Litter at bait sites. A person establishing a bait site under this section is subject to the littering provisions of Title 17, chapter 80.

6. Construction. Nothing in this section authorizes hunting of wild animals that is otherwise prohibited by law or rule.

7. Applicability. This section does not apply to:

A. Bear baiting under section 11301; or

B. Placing of bait on the ice of inland waters.

See title page for effective date.