

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 1, 2010 to June 29, 2011**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 28, 2011**

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

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**Augusta, Maine**  
**2011**

videotape or other mechanically, electronically or chemically reproduced visual image or material that the person knows or should know depicts another person engaging in sexually explicit conduct, and:

- (1) The other person has not in fact attained 12 years of age; or
- (2) The person knows or has reason to know that the other person has not attained 12 years of age.

Violation of this paragraph is a Class C crime; or

**Sec. 3. 17-A MRSA §284, sub-§5**, as enacted by PL 2009, c. 608, §4, is amended to read:

**5.** For purposes of this section, any element of age of the person depicted means the age of the person at the time the sexually explicit conduct occurred, not the age of the person depicted at the time of dissemination ~~or~~ possession or accessing of the sexually explicit visual image or material.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective April 25, 2011.

**CHAPTER 51**

**H.P. 480 - L.D. 650**

**An Act To Create an  
Apprentice Trapper License**

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

**Sec. 1. 12 MRSA §12204** is enacted to read:

**§12204. Apprentice trapper license**

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

A. "In the presence of" means in visual and voice contact without the use of visual or audio enhancement devices, including but not limited to binoculars and citizen band radios.

B. "Supervisor" means a person who is 18 years of age or older, has held a valid trapping license under this subchapter for 3 consecutive years and is trapping with a person holding an apprentice trapper license.

**2. Supervisor required.** A holder of an apprentice trapper license may not trap other than in the presence of a supervisor.

**3. Supervisor responsibility.** A supervisor shall ensure that the holder of an apprentice trapper license

follows safe and ethical trapping protocol and adheres to the laws under this Part. A supervisor may not intentionally permit a person trapping under an apprentice trapper license with that supervisor to violate subsection 2.

**4. Eligibility.** A resident or nonresident 16 years of age or older who has never held a valid trapping license or junior trapping license in this State, or any other state, province or country, is eligible to obtain an apprentice trapper license, except that a person may not be issued an apprentice trapper license after having previously held an apprentice trapper license under this section. A person is eligible to obtain an apprentice trapper license without having successfully completed a trapper education course as described in section 10108, subsection 7.

**5. Expiration of apprentice trapper license.** An apprentice trapper license is valid for up to 12 calendar months and expires on June 30th.

**6. Issuance; fee.** The commissioner, through the commissioner's authorized agent, shall issue an apprentice trapper license to an eligible person. The fee for an apprentice trapper license is \$35 for residents and \$317 for nonresidents.

**7. Restrictions.** The holder of an apprentice trapper license is not eligible to obtain a permit to trap for bear under section 12260-A.

**8. Penalties.** The following penalties apply to violations of this section.

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

B. 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 52**

**H.P. 278 - L.D. 352**

**An Act To Amend the Laws  
Governing Criminal History  
Record Information**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas**, this legislation needs to take effect before the expiration of the 90-day period in order to facilitate the work of the agency responsible for licensing health and social services agencies and facilities in