

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-NINTH LEGISLATURE**

**FIRST SPECIAL SESSION**

**August 26, 2019**

**SECOND REGULAR SESSION**

**January 8, 2020 to March 17, 2020**

**THE GENERAL EFFECTIVE DATE FOR  
FIRST SPECIAL SESSION**

**NON-EMERGENCY LAWS IS**

**NOVEMBER 25, 2019**

**THE GENERAL EFFECTIVE DATE FOR  
SECOND REGULAR SESSION**

**NON-EMERGENCY LAWS IS**

**JUNE 16, 2020**

**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  
2020**

This paragraph is repealed January 1, 2023; and

**Sec. 3. 12 MRSA §10953, sub-§1-C**, as amended by PL 2019, c. 325, §3, is further amended to read:

**1-C. Hunting with a crossbow; 65 years of age or older.** A person 65 years of age or older who meets the eligibility requirements of sections 11105, 11106 and 11162 may hunt a wild bird or a wild animal with a crossbow during any open season on that wild bird or wild animal subject to this Part; and may take an antlerless deer with a crossbow during the regular archery-only deer hunting season without an antlerless deer permit issued in accordance with section 11152.

**Sec. 4. 12 MRSA §11162, sub-§1**, as reallocated by RR 2015, c. 1, §8, is amended to read:

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

**Sec. 5. 12 MRSA §11162, sub-§3**, as reallocated by RR 2015, c. 1, §8, is repealed.

**Sec. 6. 12 MRSA §11162, sub-§3-A** is enacted to read:

**3-A. Crossbow hunter education requirements.** Except as provided in subsection 3-B, a person, other than a person holding a junior hunting license or an apprenticeship hunter license, who applies for a crossbow permit must submit:

A. Satisfactory evidence of the following:

- (1) Successful completion of an archery hunting education program or other hunter safety course under section 10108;
- (2) Successful completion of a crossbow hunting education program under section 10108 or equivalent archery hunting education program as determined by the commissioner; or
- (3) Having previously held a valid adult archery hunting license or any valid hunting license that is not a junior hunting license or an apprenticeship hunter license and a valid crossbow permit issued specifically for the purpose of hunting with a crossbow or bow and arrow in this State or any other state, province or country in any year after 1979.

When proof or evidence cannot be otherwise provided, the applicant may substitute a signed affidavit that the applicant has previously held the required completed archery hunting education program or hunter safety course and crossbow hunting

education program or has previously held a valid archery hunting license or any valid hunting license that is not a junior hunting license or an apprenticeship hunter license and a valid crossbow permit in accordance with this section.

**Sec. 7. 12 MRSA §11162, sub-§3-B** is enacted to read:

**3-B. Requirements exemption.** A person who is an enrolled member of the Passamaquoddy Tribe, the Penobscot Nation, the Houlton Band of Maliseet Indians or the Aroostook Band of Micmacs who presents certification from the respective reservation governor or the Aroostook Micmac Council stating that the person is an enrolled member of a federally recognized nation, band or tribe listed in this subsection is exempt from the requirements of subsection 3-A.

**Sec. 8. 12 MRSA §11162, sub-§4**, as reallocated by RR 2015, c. 1, §8, is amended to read:

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

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

Effective March 18, 2020.

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**CHAPTER 638**

**H.P. 1368 - L.D. 1920**

**An Act To Amend Maine's Fish and Wildlife Licensing and Registration Laws**

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

**Sec. 1. 12 MRSA §10853, sub-§3**, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is repealed and the following enacted in its place:

**3. Paraplegics.** A resident paraplegic or a nonresident paraplegic who is a resident of another state 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. A license holder under this subsection who qualifies to hunt during the special season on deer under section 11153 and

who meets the eligibility requirements of section 11106 must have included in that person's license one antlerless deer permit and one either-sex permit. The commissioner shall issue all fishing, trapping and hunting licenses and permits applied for under this subsection if the commissioner determines the applicant meets the requirements of this subsection and is not otherwise ineligible to hold that permit or license. For the purposes of this subsection, "paraplegic" means a person who has lost, or who has permanently lost the use of, both lower extremities.

A license issued to a resident paraplegic under this subsection remains valid for the life of the license holder if the license holder continues to be a resident as that term is defined under section 10001, subsection 53 and the license is not revoked or suspended. A nonresident paraplegic may apply for and be qualified to be issued the complimentary licenses and permits referred to in this subsection as long as the state where the person resides provides a reciprocal privilege for resident paraplegics of this State.

**Sec. 2. 12 MRSA §11154, sub-§17** is enacted to read:

**17. Moose permit deferment; significant medical illness.** The commissioner may authorize a person who holds a valid moose permit to defer the permit until the next moose hunting season in circumstances in which the permit holder or an immediate family member, as defined in subsection 15, of the permit holder has a significant medical illness that would prevent the permit holder from participating in the moose hunt.

**Sec. 3. 12 MRSA §13058, sub-§4** is enacted to read:

**4. Exemption.** A motorboat, personal watercraft or seaplane operating on interstate waters shared with the State of New Hampshire is exempt from subsection 3 if it is displaying a lake and river protection sticker issued by the State of New Hampshire that is equivalent to the lake and river protection sticker issued by the State as long as the State of New Hampshire enacts legislation with substantially the same lake and river protection sticker requirements under this section giving a reciprocal exemption to a motorboat, personal watercraft or seaplane displaying the State's lake and river protection sticker.

See title page for effective date.

**CHAPTER 639  
H.P. 1369 - L.D. 1921**

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

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

**Sec. 1. 12 MRSA §10151, sub-§5**, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

**5. Meetings.** All regular and special meetings of the advisory council must be public meetings and must be held in a public meeting place convenient for the public. Public comment must be accepted at regular and special meetings of the advisory council. Comments may be restricted to subjects before the advisory council at the meeting and consistent with any applicable requirements and limitations of the Maine Administrative Procedure Act. Public notice of all regular and special advisory council meetings must be published in a daily newspaper of general circulation in the geographic area where the meeting is scheduled at least 7 days and not more than 21 days prior to the meeting except in circumstances when emergency rulemaking is necessary. That notice must include an agenda or statement of purpose of the meeting. That notice may be combined with any other notice of the meeting required by law.

**Sec. 2. 12 MRSA §11108-B, sub-§1**, as amended by PL 2019, c. 324, §1, is further amended to read:

**1. ~~Youth hunter~~ Apprentice supervisor required.** A holder of an apprentice hunter license may not hunt other than in the presence of ~~a youth hunter~~ an apprentice supervisor.

A. The following penalties apply to violations of this subsection.

(1) A person who violates this subsection commits a civil violation for which a fine of not less than \$500 and not more than \$1,000 may be adjudged.

(2) 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. 3. 12 MRSA §11108-B, sub-§1-A, ¶A-1** is enacted to read:

**A-1. "Apprentice supervisor"** means a person who is 18 years of age or older and holds a valid adult hunting license under this subchapter.