

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

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ONE HUNDRED AND TENTH LEGISLATURE

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**Legislative Document**

**No. 255**

H. P. 218

House of Representatives, January 14, 1981

Referred to the Committee on Fisheries and Wildlife. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Boyce of Auburn.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

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**AN ACT to Provide a Special Muzzle-loading Hunting Season.**

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

12 MRSA § 7457-A is enacted to read:

§ 7457-A. **Special season for muzzle-loading rifles**

1. **Definition.** “Muzzle-loading rifle” means a single-shot rifle of no less than .40 caliber, incapable of firing a self-contained cartridge, which uses powder, ball and wadding loaded separately at the muzzle end and the projectile of which is limited to round ball only. It does not include a rifle using maxi balls, mini balls or buckshot. A muzzle-loading rifle may not be equipped with any type of telescope or telescopic sight.

2. **Open season for hunting deer.** There shall be, subject to the discretion of the commissioner, an annual open season during the 10 days, excluding any Sunday, immediately preceding the open season on deer in any area of the State open to the hunting of deer, for the purpose of hunting deer with muzzle-loading rifles only. No other type of firearm may be used for the taking of deer in that area during this period. During this annual open season, any persons hunting deer with a muzzle-loading rifle shall possess a license for hunting with a muzzle-loading rifle issued by the commissioner, or through his agents.

3. **Licenses.** Licenses for hunting under this section shall be issued as follows:

**A. The fees for muzzle-loading rifle licenses are as follows:**

- (1) Resident muzzle-loading rifle license..... \$ 9.50
- (2) Nonresident muzzle-loading rifle license..... \$35.50
- (3) Alien muzzle-loading rifle license..... \$50.50

**B. The issuing agent shall retain a fee of 50¢ for each license issued.**

**C. No license may be issued to any person who has not attained the age of 16 years by the first day of the annual open season under subsection 2.**

**D. Muzzle-loading rifle deer tags shall be issued in the same manner as regular deer tags.**

**4. Restrictions. The following restrictions apply to hunting with a muzzle-loading rifle.**

**A. If a person takes a deer with a muzzle-loading rifle during the annual open season under subsection 2, he is precluded from further hunting for deer during that year.**

**B. Except as provided in this section, the provisions of chapters 701 to 721 relating to deer and the use of rifles shall be applicable to the taking of deer with muzzle-loading rifles.**

**5. Transportation of muzzle-loading rifles. A muzzle-loading rifle is deemed to be legally transportable by vehicle under section 7406, subsection 8, if the percussion cap or flint is removed from the ignition system, even though the rifle may have powder and lead in the breach of the barrel. All other provisions of section 7406, subsection 8 apply to hunting with muzzle-loading rifles.**

**6. Inspection and registration. All deer killed under this section shall be inspected by a warden before being registered under section 7457, subsection 2. If the warden finds the deer to have been legally killed with a muzzle-loading rifle, he shall approve the deer for registration. If it appears to the warden that the deer was not legally killed with a muzzle-loading rifle, he shall seize the deer and prosecute the offender.**

**STATEMENT OF FACT**

The purpose of this bill is to establish a special deer hunting season for muzzle-loading rifles. The season would be during the 10 days immediately preceding the regular deer hunting season.