

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

SECOND REGULAR SESSION-2004

Legislative Document

No. 1743

H.P. 1265

House of Representatives, December 22, 2003

An Act To Make Technical Corrections to Maine's Fish and Wildlife Laws

Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 204.
Received by the Clerk of the House on December 17, 2003. Referred to the Committee on Inland Fisheries and Wildlife pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative DUNLAP of Old Town.
Cosponsored by Senator BRYANT of Oxford and
Representatives: CARR of Lincoln, CLARK of Millinocket, Speaker COLWELL of Gardiner,
JACKSON of Fort Kent, PATRICK of Rumford, RICHARDSON of Greenville, WATSON of
Bath, WOTTON of Littleton.

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

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4 **Sec. 1. 12 MRSA §11404, sub-§1**, as enacted by PL 2003, c. 414,
Pt. A, §2 and affected by Pt. D, §7, is amended to read:

6 **1. Muzzle-loading-only open season on deer.** There is a
8 special muzzle-loading open season on deer immediately following
the regular deer hunting season established under section 11401,
10 subsection 1, paragraph A for the purpose of hunting deer only
with muzzle-loading firearms as defined in section 10001,
12 subsection 42 and that are 40 caliber or greater and capable of
firing only a single charge. The commissioner may terminate this
open season at any time in an area if, in the commissioner's
14 opinion, an immediate emergency action is necessary due to
adverse weather conditions or severe hunting pressure. The
16 length of the special muzzle-loading season is as follows.

18 A. The commissioner shall establish by rule the length of
the special muzzle-loading season. The commissioner may
20 establish seasons of different lengths in different regions
of the State. The season may extend for no more than 12
22 hunting days in any part of the State.

24 **Sec. 2. 12 MRSA §11451**, as enacted by PL 2003, c. 414, Pt. A,
§2 and affected by Pt. D, §7, is repealed.

26 **Sec. 3. 12 MRSA §12553, sub-§2**, as enacted by PL 2003, c. 414,
28 Pt. A, §2 and affected by Pt. D, §7, is amended to read:

30 **2. Sale of bait or baitfish in polystyrene foam**
containers. A Effective January 1, 2005, a person who sells bait
32 or baitfish may not provide or sell the bait or baitfish in
containers that are composed in whole or in part of polystyrene
34 foam plastic.

36 A person who violates this subsection commits a civil violation
for which a forfeiture of not less than \$100 nor more than \$500
38 may be adjudged.

40 **Sec. 4. 12 MRSA §13058, sub-§1**, as enacted by PL 2003, c. 414,
Pt. A, §2 and affected by Pt. D, §7, is amended to read:

42 **1. Prohibition.** A person may not operate a motorboat or
44 personal watercraft on the inland waters of the State unless a
valid lake and river protection sticker issued annually under
46 subsection 3 is affixed to both sides of the bow above the water
line and approximately 3 inches behind the validation sticker
48 required under section 13056.

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SUMMARY

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4 This bill makes the following changes to the laws governing
inland fisheries and wildlife.

6 1. It restricts the muzzle-loading open season on deer to
8 hunting with a muzzle-loading firearm that is 40 caliber or
greater and capable of firing only a single charge.

10 2. It repeals the provision that authorizes hunting deer
12 with unconventional weapons.

14 3. It specifies that the requirement that bait or baitfish
16 be sold in biodegradable containers takes effect beginning
January 1, 2005.

18 4. It clarifies that a new lake and river protection
sticker must be obtained annually in order to be valid.