

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 822

H.P. 558

House of Representatives, March 3, 2009

An Act To Expand Turkey Hunting Opportunities

Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative PIOTTI of Unity.
Cosponsored by Representative: McCABE of Skowhegan, Senator: TRAHAN of Lincoln.

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

2 **Sec. 1. 12 MRSA §11155, sub-§1-B**, as enacted by PL 2005, c. 12, Pt. III, §11, is
3 amended to read:

4 **1-B. Issuance; permit fee.** The commissioner, through the commissioner's
5 authorized agent, shall issue a wild turkey hunting permit to an eligible person. The
6 Except as provided in subsection 1-C, the annual fee for a wild turkey hunting permit is
7 \$20 for residents and \$47 for nonresidents and aliens \$25.

8 **Sec. 2. 12 MRSA §11155, sub-§1-C** is enacted to read:

9 **1-C. Junior hunter; complimentary turkey permit.** Upon application by a person
10 who holds a valid junior hunting license, the commissioner shall issue to that person a
11 complimentary wild turkey hunting permit.

12 **Sec. 3. 12 MRSA §11701**, as amended by PL 2003, c. 655, Pt. B, §179 and
13 affected by §422 and Pt. C, §§2 and 6, is further amended to read:

14 **§11701. Authority of commissioner; wild turkey hunting and seasons**

15 The commissioner may establish open seasons for hunting wild turkeys, designate
16 areas that are open to the taking of wild turkeys in any part of the State, prescribe the
17 form and regulate the number of permits to be issued, ~~determine the number and sex of~~
18 ~~the birds to be harvested, establish bag limits,~~ establish permit eligibility requirements,
19 ~~establish legal hunting times,~~ specify the types of weapons to be used during any open
20 wild turkey hunting season and make any other rules that the commissioner considers
21 necessary for the protection of the wild turkey resource.

22 The commissioner shall establish spring and fall wild turkey hunting seasons and
23 allow the harvest of 2 male wild turkeys per permit holder in the spring season and 2 wild
24 turkeys of either sex per permit holder in the fall season. Except as provided in section
25 11751-A, subsection 2, a person may not harvest more than 2 wild turkeys during the fall
26 season.

27 A person who violates this section commits a Class E crime for which the court shall
28 impose a fine of not less than \$500, none of which may be suspended. The court also
29 shall impose a fine of \$500 for each turkey unlawfully possessed, none of which may be
30 suspended.

31 **Sec. 4. 12 MRSA §11703** is enacted to read:

32 **§11703. Wild turkey hunting hours**

33 A person may hunt wild turkey during an open season on wild turkey between 1/2
34 hour before sunrise and 1/2 hour after sunset.

35 **Sec. 5. 12 MRSA §11751-A, sub-§2**, as enacted by PL 2003, c. 552, §11 and
36 affected by §15 and c. 655, Pt. C, §§2 and 6, is amended to read:

1 **2. Exceeding bag limit.** A person may not possess more than ~~one~~ 2 wild turkey
2 turkeys during any an open season, except a person may keep more than ~~one~~ 2 legally
3 obtained wild ~~turkey~~ turkeys in that person's home at any time or as otherwise provided in
4 law ~~or rule~~. A wild turkey harvested by a junior hunting license holder during a youth
5 hunting day for wild turkeys does not count towards the bag limit established under this
6 subsection or the hunting restriction in subsection 3.

7 **Sec. 6. 12 MRSA §11751-A, sub-§3**, as enacted by PL 2003, c. 552, §11 and
8 affected by §15 and c. 655, Pt. C, §§2 and 6, is amended to read:

9 **3. Hunting wild turkey after having killed two.** A Except as provided in
10 subsection 2, a person may not hunt wild turkey after that person has killed or registered
11 one 2 during any an open season of that calendar year for the remainder of that season,
12 except as otherwise provided in law or rule.

13 **Sec. 7. 12 MRSA §12301-A**, as enacted by PL 2003, c. 655, Pt. B, §226 and
14 affected by §422, is amended to read:

15 **§12301-A. Registration of harvested animals**

16 **1. Registration stations established.** The commissioner shall adopt rules governing
17 the establishment and closure of bear, deer, and moose ~~and wild turkey~~ registration
18 stations for the purpose of registering harvested bear, deer, and moose ~~and wild turkey~~
19 and to allow for the collection of biological and hunting data. Rules adopted pursuant to
20 this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-
21 A.

22 **2. Agents designated.** An agent designated by the commissioner must be in charge
23 of each bear, deer, or moose ~~or wild turkey~~ registration station.

24 **3. Agent duties.** Registration agents shall:

25 A. Register every bear, deer, or moose ~~or wild turkey~~ legally presented for
26 registration;

27 B. Attach a seal to each bear, deer, or moose ~~or wild turkey~~ in the manner directed
28 and with the materials furnished by the commissioner; and

29 C. Collect and retain \$1 for each seal from the person registering a bear, deer, and
30 moose ~~or wild turkey~~.

31 **Sec. 8. 12 MRSA §12302-A, sub-§1**, as enacted by PL 2003, c. 655, Pt. B, §228
32 and affected by §422, is amended to read:

33 **1. Requirement.** A person who kills a bear, deer, or moose ~~or wild turkey~~ shall:

34 A. Remain with that animal until it is registered, except as provided in section
35 12303-A;

36 B. Present that animal for registration in that person's name at the first open
37 registration station for that animal on the route taken by that person; and

1 C. Leave the registration seal attached to the animal in accordance with section
2 12301-A until that animal is processed and packaged for consumption.

3 **Sec. 9. 12 MRSA §12302-A, sub-§1-A** is enacted to read:

4 **1-A. Turkey registration.** The commissioner shall adopt rules to develop a system
5 to register harvested wild turkeys by telephone or over the Internet. Rules adopted
6 pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375,
7 subchapter 2-A.

8 **Sec. 10. 12 MRSA §12303-A, sub-§1, ¶B**, as enacted by PL 2003, c. 655, Pt. B,
9 §230 and affected by §422, is amended to read:

10 B. Deer; or

11 **Sec. 11. 12 MRSA §12303-A, sub-§1, ¶C**, as enacted by PL 2003, c. 655, Pt. B,
12 §230 and affected by §422, is amended to read:

13 C. Moose; ~~or.~~

14 **Sec. 12. 12 MRSA §12303-A, sub-§1, ¶D**, as enacted by PL 2003, c. 655, Pt. B,
15 §230 and affected by §422, is repealed.

16 **SUMMARY**

17 This bill amends the wild turkey hunting laws as follows.

18 1. It requires the Commissioner of Inland Fisheries and Wildlife to establish and set
19 the bag limit for the fall and spring seasons at 2 wild turkeys per permit holder per
20 season.

21 2. It requires the Commissioner of Inland Fisheries and Wildlife to issue upon
22 application a complimentary wild turkey hunting permit to a person holding a valid junior
23 hunting license.

24 3. It exempts a wild turkey harvested by a junior hunter during a youth wild turkey
25 hunting day from bag limits.

26 4. It eliminates the current \$20 resident and \$47 nonresident wild turkey hunting
27 permit fees and creates a single \$25 wild turkey hunting permit fee for both residents and
28 nonresidents.

29 5. It sets the wild turkey hunting hours between 1/2 hour before sunrise and 1/2 hour
30 after sunset.

31 6. It directs the Commissioner of Inland Fisheries and Wildlife to adopt a registration
32 system that allows a hunter to register a harvested wild turkey by telephone or over the
33 Internet.