

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 374

H. P. 311

House of Representatives, January 28, 1975

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

EDWIN H. PERT, Clerk

Presented by Mr. Usher of Westbrook.

Cosponsor: Mr. Tozier of Unity.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT to Permit Hunting with Muzzle-loading Rifle.

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

12 MRSA, c. 322, is enacted to read:

CHAPTER 322

MUZZLE-LOADING RIFLES

§ 2521. Definition

In this chapter, a muzzle-loading rifle is a rifle of no less than .45 caliber, with a flintlock or percussion cap type of ignition system, which loads through the front end of the barrel.

§ 2522. Open season for hunting deer and bear with muzzle-loading rifles

There shall be an annual open season during 6 days, beginning the 6th Monday preceding Thanksgiving, for the purpose of hunting deer and bear with muzzle-loading rifles only. During this annual open season, any person hunting deer or bear with a muzzle-loading rifle shall possess a license for hunting with a muzzle-loading rifle issued by the commissioner.

§ 2523. Licenses

A muzzle-loading rifle license shall be issued by the commissioner to hunt deer and bear during the annual open season under section 2522. The fee for this license shall be \$5 for Maine residents of 16 years of age or older and shall be \$30 for nonresidents of 16 years of age or older. The commissioner shall not issue a license to any person who has not attained the age of 16 years by the first day of the annual open season under section 2522.

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

If any person takes a deer or a bear with a muzzle-loading rifle during the annual open season under section 2522, he is precluded from further hunting for deer or bear during that year. If a person does not take a deer or bear with a muzzle-loading rifle during the annual open season under section 2522, he is not precluded from obtaining a hunting license for the regular open season.

Section 2401, subsection 1 shall apply to muzzle-loading rifle licenses.

§ 2524. Transportation of muzzle-loading rifles

A muzzle-loading rifle shall be deemed to be legally transportable by vehicle under section 2456 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 2456 shall apply to hunting with muzzle-loading rifles.

§ 2525. Applicability of provisions

Except as provided in this chapter, the provisions of chapters 301 to 335 relating to deer and bear shall be applicable to the taking of deer and bear with muzzle-loading rifles.

§ 2526. Deer

All deer killed under this chapter shall be inspected by a warden before being registered under section 2355. 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.

§ 2527. Bear

All bear killed under this chapter shall be inspected by a warden before being registered under section 2355-C. If the warden finds the bear to have been legally killed with a muzzle-loading rifle, he shall approve the bear for registration. If it appears to the warden that the bear was not legally killed with a muzzle-loading rifle, he shall seize the bear and prosecute the offender.

§ 2528. Migratory birds

Any person holding a license to hunt deer and bear with a muzzle-loading rifle shall be permitted to hunt migratory birds with a muzzle-loading rifle in accordance with section 2352 during the season provided under that section. All provisions of this Title relating to the hunting of migratory birds shall apply to the hunting of migratory birds with a muzzle-loading rifle.

§ 2529. Birds

Any person holding a license to hunt deer and bear with a muzzle-loading rifle shall be permitted to hunt birds with a muzzle-loading rifle in accordance with section 2466.

§ 2530. Upland game and fur-bearing animals

The commissioner, acting under the procedures set forth in section 1960-A, may allow hunting of upland game and fur-bearing animals during the annual open season under section 2522 by persons holding a license to hunt with a muzzle-loading rifle.

STATEMENT OF FACT

The purpose of this Act is to permit hunting with muzzle-loading rifles.