

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

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Legislative Document

No. 254

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H. P. 192 House of Representatives, February 3, 1977  
Referred to the Committee on Fisheries and Wildlife. Sent up for concurrence and 2,000 ordered printed.

EDWIN H. PERT, Clerk

Presented by Mrs. McBreairty of Perham.

Cosponsors: Mr. Peterson of Caribou, Mr. Masterman of Milo, and Mr. McKean of Limestone.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SEVEN

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**AN ACT Establishing an Experimental Open Season on Moose.**

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

12 MRSA § 2355-E is enacted to read:

§ 2355-E. Moose season

1. Open season established. There shall be a controlled, open firearms season on moose for the year 1977 within the hunting district described in subsection 3.

2. Length of season. The Commissioner of Inland Fisheries and Wildlife is authorized to establish an October season not to exceed 6 consecutive days, the beginning and closing dates to be determined by the commissioner.

3. District. There shall be one moose hunting district described as follows: All of Units 1, 2 and 5 of the wildlife management units, excluding all of Baxter State Park.

4. Hunting permits. The Commissioner of Inland Fisheries and Wildlife is authorized to issue not more than 700 moose hunting permits for Units 1, 2 and 5 for the 1977 season. A valid Maine resident hunting license, in addition to a Maine moose permit, shall be required to hunt moose. Permits shall be chosen by public chance drawing. To be eligible for the official drawing, at which time such permits shall be drawn, it shall be necessary for applicants to file, with the clerk of the town of their residence, a written application to be furnished by the commissioner. The fee for such application shall be \$5.50, 50¢ of which will be retained by the town clerk. This fee shall not

be refunded. Each hunter selected may then choose one individual possessing a valid Maine resident hunting license to hunt with him or her. The 2 hunters, or single hunter, as the case may be, will receive one moose permit to be carried on the person of the permittee. The permittee may also hunt alone if he chooses, but the selected subpermittee must always be accompanied by the permittee. There shall be no charge for this permit.

5. Bag limit. The bag limit shall be one moose of either sex per permit holder. In the case of a permittee and a selected subpermittee, the permit will allow one of them to take one moose.

6. Weapons permitted. Shotguns larger than .410 gauge using rifled slugs only and all other firearms, except handguns and rim fires, shall be considered legal for hunting moose.

7. Registration of harvested moose.

A. All moose legally harvested must be presented for inspection at official registration stations to be established by the commissioner to allow collecting of biological and hunting data. The entire animal must be presented, although it may be dismembered for ease of transportation. However, the head and legs must be intact. A fee of \$25 shall be assessed for registration.

B. Inland fisheries and wildlife wardens and biologists shall register each moose legally presented for registration and shall attach a metal seal to each moose in the manner as directed and with the materials furnished by the commissioner.

(1) No person shall at any time in any manner move or transport any moose, or part thereof, unless it is open to view and there is securely attached to the head the moose tag portion of the permit bearing the name and address of the person who killed the moose. Such a moose shall be accompanied by the permittee, or by the permittee and subpermittee if shot by the subpermittee, while being moved or transported.

(2) Any person killing a moose under this section shall present it for registration at an official registration station and that moose shall be registered in his name.

(3) No person shall present a moose for registration or allow to be registered in his name any moose which he himself did not lawfully kill.

C. No person shall keep a moose at his home, or at any place of storage, except at an official registration station or at the office of an inland fisheries and wildlife warden, for more than 12 hours unless that moose has been legally registered.

D. Prior to presenting a moose for registration, it shall be unlawful for any person to possess or to leave in the fields or forests a moose which he has killed which does not have securely attached to its head, and plainly visible, the moose tag portion of his permit bearing his full name and address. Any moose so found, to which the moose tag portion of that permit has not been attached, shall be seized and disposed of as directed by the commissioner.

8. Giving moose away; labels. Notwithstanding subsection 7, paragraph B, subparagraph (1), no person shall have in his possession any part or parts of a moose given to him unless each separate part is plainly labeled with the name and address of the person who registered the moose and the name and address of the person to whom it was given and, if that part is transported by any 3rd party, the name and address of the party transporting the same be affixed thereto. This subsection shall not apply to any moose or parts of moose being transported by a Maine licensed transportation company, including common carriers, in accordance with other provisions of chapters 301 to 337.

9. Transportation within State. Any resident of this State, who has legally killed and registered a moose may have that moose transported within the State, without accompanying the same, by purchasing a moose transportation tag which shall be attached to that moose while being transported. This moose transportation tag shall cost \$3; 50¢ shall be retained by the issuing agent.

10. Authority of commissioner. The commissioner is authorized to issue applications for moose hunting permits, issue permits and make all rules and regulations pertaining thereto. The commissioner is authorized to make all other rules and regulations which he deems necessary for the protection of the moose resource.

11. Each permittee and subpermittee shall complete a questionnaire. Each permittee and subpermittee shall complete a questionnaire, to be provided by the commissioner, and return this questionnaire to the commissioner within a period of 10 days after the close of the moose hunting season.

12. Reapplication prohibited. Any person who receives a moose hunting permit is ineligible to apply for a moose hunting permit for the following 4 years.

13. Precedence of this section. Any moose legally taken under this section shall not be in violation of section 2467.

14. Penalties. Whoever violates any of the provisions of this section or rules and regulations promulgated thereunder, except violations of subsection 7, paragraph C, and subsection 11, shall be punished, upon conviction, by a fine of not less than \$500 nor more than \$1,000 and by imprisonment of not less than 3 nor more than 5 days for the first offense, and by a fine of not less than \$500 nor more than \$1,000 and by imprisonment of not less than 10 nor more than 15 days for each succeeding offense. No punishment under this section shall be suspended. Any firearms seized in connection with a violation of this section shall be retained by the State pending disposition of criminal proceedings and sold at public auction by the State upon conviction. In addition, the commissioner may suspend the hunting license of a convicted violator for a period of 3 years. Violations of subsection 7, paragraph C, and subsection 11 shall be punishable under section 3060.

#### FISCAL NOTE

The passage of this bill would bring an increased revenue to the State of \$487,500 for the fiscal year 1977-78.

STATEMENT OF FACT

This bill will establish an experimental open hunting season on moose.