

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 588

S. P. 191

In Senate, February 23, 1977

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

MAY M. ROSS, Secretary

Presented by Senator McNally of Hancock.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT Establishing a Limited Open Season on Moose.

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 statewide controlled, open firearms season on moose for the year 1977.

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.

The Commissioner of Inland Fisheries and Wildlife is authorized to issue not more than 1,500 moose hunting permits each season. Any resident and nonresident hunting license holder may, upon payment of a nonrefundable fee of \$3, apply for a moose permit. One thousand five hundred hunters will be randomly selected from among the applicants. Any nonresident hunter shall retain the services of a Maine guide upon being selected for a moose permit. Each hunter selected may then choose one person to hunt with him or her. Upon payment of one \$50 license fee, the 2 hunters will receive one moose permit allowing either of them to take one moose. One moose of either sex may be taken by each pair of hunters. All moose shall be tagged with the hunters' license tag immediately and all moose harvested shall be presented at an established moose registration station. Section 2355, subsection 1 to 7, which apply to the registration, possession, giving away and transportation of deer shall likewise apply to all moose taken, except that no fee will be charged for registering moose.

In Wildlife Management Units 1 and 2, during the moose season, it shall be unlawful for anyone not licensed to take moose to hunt, with a rifle or with rifled slugs, any wild birds or wild game. Possession of a rifle in the fields and forests or on the waters or in a motor vehicle being operated on an unpaved highway located in an unorganized township shall be prima facie evidence of such hunting, unless such firearm is carried, securely wrapped in a complete cover, fastened in a case or carried in at least 2 separate pieces in such a manner that it cannot be fired unless the separate pieces are joined together again. For the purposes of this section, a clip, magazine or cylinder of a firearm shall not be considered a piece of such a rifle. No .22 caliber rim fire firearms may be used to hunt moose.

The commissioner is authorized to make any other rules and regulations he may deem necessary for the administration of this section.

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

No person who is licensed to hunt moose during the 1977 moose season shall be eligible to apply for a moose hunting permit in 1978.

Whoever violates any of the provisions of this section or rules and regulations promulgated hereunder shall be punished, upon conviction, by a fine of not less than \$500 nor more than \$1,000, or by imprisonment for not more than 6 months, or by both. Also, upon conviction, the commissioner may suspend the hunting license for a period of 3 years.

In addition, should future moose seasons be held after 1977, anyone convicted of any violation of this section shall be ineligible for a moose permit for 5 years.

FISCAL NOTE

The passage of this bill would bring an increased revenue to the State of \$650,000 for the fiscal year 1977-78.

STATEMENT OF FACT

The intent of this bill is to establish an open season on moose on a limited basis.