

MAINE STATE LEGISLATURE

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New Draft of H. P. 568, L. D. 693.
(New Title)

ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1801

H. P. 1591

House of Representatives, May 24, 1977

Reported by a Minority from Committee on Fisheries and Wildlife. Sent up for concurrence and ordered printed under Joint Rules No. 2.

EDWIN H. PERT, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT to Create a Special Hunting Season for Muzzle-loading Firearms.

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 FIREARMS

§ 2521. Definition

In this chapter, a muzzle-loading firearm is a rifle of no less than .40 caliber, with a flintlock or percussion cap type of ignition system, which loads through the front end of the barrel, which shall be at least 16 inches in length.

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

There shall be an annual open season during the 6 days, excluding Sunday, prior to the opening of the season on deer in any area of the State open to the hunting of deer, for the purpose of hunting deer and bear with muzzle-loading firearms only. During this annual open season, any person hunting deer or bear with a muzzle-loading firearm shall possess a license for hunting with a muzzle-loading firearm issued by the commissioner and shall also possess a license to hunt bear and deer under section 2401.

§ 2523. Licenses

A muzzle-loading firearm 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 \$15 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 firearm 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 firearm 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 firearm during the annual open season under section 2522, he is not precluded from hunting for the regular open season.

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

§ 2524. Transportation of Muzzle-loading firearms

A muzzle-loading firearm 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 firearm may have powder and lead in the breach of the barrel. All other provisions of section 2456, shall apply to hunting with muzzle-loading firearms.

§ 2525. Applicability of provisions

Except as provided in this chapter, the provisions of chapters 301 to 337 relating to deer and bear shall be applicable to the taking of deer and bear with muzzle-loading firearms.

§ 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 firearm, he shall approve the deer for registration. If it appears to the warden that the deer was not legally killed with a muzzle-loading firearm, 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 firearm, he shall approve the bear for registration. If it appears to the warden that the bear was not legally killed with a muzzle-loading firearm, he shall seize the bear and prosecute the offender.

STATEMENT OF FACT

The purpose of this new draft is to revise portions of the bill by inserting "firearms" in place of "rifle," establishing the length of the barrel and removing references to birds and upland game and fur-bearing animals.