

MAINE STATE LEGISLATURE

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D. J. R.

L.D. 28

STATE OF MAINE
SENATE
109TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. S-26)

COMMITTEE AMENDMENT " A " to S.P. 42, L.D. 28, Bill, "AN ACT to Test an Open Season on Moose for a One-year Period."

Amend the Bill by striking out all of the title and inserting in its place the following:

'AN ACT to Test an Experimental Season on Moose for a One-year Period.'

Further amend the Bill by striking out everything after the enacting clause and inserting in its place the following:

'12 MRSA §2355-F is enacted to read:

§2355-F. Moose season

1. Experimental season established. There shall be a controlled, experimental open firearms season on moose for the year 1980 within the hunting district described in subsection 3.

2. Open season. The open season for moose shall be from September 22, 1980, to September 27, 1980.

3. District. There shall be one moose hunting district described as follows: ~~all~~ of the ~~state~~ north of the Canadian Pacific Railroad mainline running from Vanceboro, through Brownville, to the Canadian border, except for those areas of the ~~state~~ closed to hunting described in chapter 309.

4. Hunting permits. The commissioner is authorized to issue not more than 700 moose hunting permits.

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Permits shall be chosen by public chance drawing. To be eligible for this drawing, a person shall hold a valid Maine resident hunting license and shall submit a written application, accompanied by a \$5 application fee. These applications shall be provided by the commissioner and obtainable from licensing agents. Application fees shall not be refunded. In addition to the application fee, there shall be a fee of \$10 for a moose permit.

Each hunter receiving a moose permit may choose another person, hereinafter referred to as the subpermittee, to hunt with him by including his name on the permit application. The subpermittee shall be required to possess a valid Maine hunting license. The hunters shall receive one permit indicating the name of the permittee and subpermittee, if any. This permit shall be carried by the permittee while hunting. This permittee may hunt alone if he chooses, but the subpermittee shall always be accompanied by the permittee. There shall be no additional charge for designating a subpermittee.

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 shall 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 shall be presented, although it may be dismembered for ease of transportation. The head and legs shall be intact. A fee of \$10 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 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. The moose shall be accompanied by the permittee, or by the subpermittee, while being moved or transported.

(2) The department shall establish official moose tagging stations. Any moose killed under this section shall be presented to a moose tagging station by the permittee, 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 or his subpermittee did not lawfully kill.

C. Except as provided in section 2951, 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 forest 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 moose to 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 chapters 301 to 337.

9. Closing of moose season. If, during the open season on moose, it shall be the opinion of the commissioner that more moose are being killed in the district indicated than is in the best interest of conserving the species, he shall have the authority to terminate that season at once.

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

13. Penalties. Notwithstanding the provisions of Title 17-A, section 4-A, 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 consecutive 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 consecutive 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.'

D OF R.

Statement of Fact

The purpose of this amendment is to increase the total number of moose permits to 700, restrict hunting to residents only , change the fee structure and make other minor changes to the bill.

Reported by the Committee on Fisheries and Wildlife.

Reproduced and distributed pursuant to Senate Rule 11-A.

March 7, 1979

(Filing No. S-26)