

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

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ONE HUNDRED AND TENTH LEGISLATURE

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**Legislative Document**

**No. 156**

H. P. 105

House of Representatives, January 7, 1981

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

EDWIN H. PERT, Clerk

Presented by Mr. Rolde of York.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

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**AN ACT to Permit Deer Hunting with Muzzle-loading Rifles.**

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

12 MRSA § 7457-A is enacted to read:

1. **Definition.** As used in this section, a muzzle-loading rifle is a rifle of no less than .44 caliber, with a flintlock or percussion cap type of ignition system, which uses only black powder, round or maxi balls and loads through the front end of the barrel.

2. **Open season for hunting deer.** There shall be, subject to the discretion of the Fish and Game Advisory Committee, an annual open season during the 6 days, excluding Sunday, following the open season on deer in any area of the State open to the hunting of deer, for the purpose of hunting deer with muzzle-loading rifles only. During this annual open season, any person hunting deer with a muzzle-loading rifle shall possess a license for hunting with a muzzle-loading rifle issued by the commissioner and shall also possess a license to hunt deer under section 7101.

3. **Licenses.** Licenses for hunting under this section shall be issued under the following provisions.

- A. A muzzle-loading rifle license shall be issued by the commissioner to hunt deer during the annual open season under subsection 2. The fee for this license is \$5 for Maine residents of 16 years of age or older and is \$15 for nonresidents of 16 years of age or older. The commissioner may 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 subsection 2.**
- B. Muzzle-loading rifle deer tags shall be issued in the same manner as regular deer tags.**
- C. If any person takes a deer with a muzzle-loading rifle during the annual open season under subsection 2, he is precluded from further hunting for deer during that year. If a person does not take a deer with a muzzle-loading rifle during the annual open season under subsection 2, he is not precluded from hunting for the regular open season.**
- 4. Transportation of muzzle-loading rifles. A muzzle-loading rifle is deemed to be legally transportable by vehicle under section 7406, subsection 8, 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 7406, subsection 8 apply to hunting with muzzle-loading rifles.**
- 5. Applicability of provisions. Except as provided in this section, the provisions of this Part relating to deer shall be applicable to the taking of deer with muzzle-loading rifles.**
- 6. Inspection and registration. All deer killed under this chapter shall be inspected by a warden before being registered under section 7457. 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.**

#### STATEMENT OF FACT

The purpose of this bill is to permit hunting deer with muzzle-loading rifles for a limited period following the regular open season.