

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 300

S. P. 128

In Senate, January 20, 1981

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

EDWIN H. PERT, Clerk

Presented by Senator McBreairty of Aroostook.

Cosponsors: Mr. Peterson of Caribou, Senator Usher of Cumberland and Mr. MacEachern of Lincoln.

STATE OF MAINE

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

AN ACT to Provide an Open Season on Moose for a One-year Period.

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

Sec. 1. 12 MRSA § 7463, as repealed and replaced by PL 1979, c. 543, § 50, is repealed.

Sec. 2. 12 MRSA § 7463-A is enacted to read:

§ 7463-A. Moose

1. **Moose hunting district.** A moose hunting district is established in that area 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 713, subchapter I.

2. **Hunting zones.** The commissioner may establish moose hunting zones within the moose hunting district. Physical boundaries shall be used to delineate all zones. The boundaries of each zone and number of permits to be issued for each zone shall be made public at least 14 days before application for permits may be made.

3. **Length of season.** On or after January 1, 1982, the commissioner may establish open seasons on moose within the moose hunting district, provided that the number of hunting days in each year does not exceed 6.

4. **Hunting permits.** The commissioner may issue up to 1,000 moose hunting permits annually and may establish the number of moose hunting permits to be issued for each moose hunting zone. No more than 10% of the moose hunting permits may be issued to nonresident and alien hunters. A person whose application is selected may purchase a moose hunting permit upon presentation of proof that he possesses:

- A. A valid Maine hunting license, if he is a resident of the State; or
- B. A valid Maine big game hunting license, if he is a nonresident or alien.

The fee for a moose hunting permit is \$25 for residents and \$50 for nonresidents and aliens. At the time the permit is obtained, the permittee may designate a subpermittee to hunt with him. The permittee may choose not to designate a subpermittee and hunt alone, but a subpermittee must always be accompanied by the permittee while hunting moose. While hunting moose each nonresident or alien hunter shall be in possession of a valid Maine nonresident or alien big game hunting license, whichever is applicable.

5. **Eligibility.** Any Maine resident, nonresident or alien who is eligible to obtain a Maine hunting license is eligible to apply for a moose hunting permit.

6. **Application procedure.** Eligible persons wishing to apply for a permit shall file a written application for a permit on a form furnished by the commissioner. The application shall be accompanied by an application fee of \$5 for residents and \$10 for nonresidents and aliens. The application fee may not be refunded. No person may file more than one application. Any person who submits more than one application shall be disqualified from the selection of permittees.

7. **Selection procedure.** Permittees shall be selected by a public chance drawing. Alternates shall be chosen and may receive permits in the event that selected hunters do not purchase permits.

8. **Research and management.** Funds shall be provided from the revenues generated by application and permit fees to carry out the department's documented moose research and management program.

9. **Bag limit.** The bag limit is one moose per permit holder. In the case of a permittee and a subpermittee, the permit shall allow one of them to take one moose.

10. **Weapons permitted.** All firearms except handguns, .22 caliber rim fires and shotguns utilizing shot loads, shall be considered legal for hunting moose.

11. **Registration of harvested moose.** All moose legally harvested shall be presented for inspection at official registration stations to be established by the commissioner to allow collection of biological and hunting data. The entire animal except the viscera shall be presented, but it may be dismembered for ease of transportation.

- A. Inland fisheries and wildlife wardens shall register each moose legally

presented for registration and shall attach a metal seal to each moose in the manner directed by and with materials furnished by the commissioner. No fee may be assessed for registration.

B. 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 the name of the person who killed the moose. No person may present a moose for registration or allow to be registered in his name any moose which he himself did not lawfully kill.

12. Questionnaires. 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.

13. Authority of commissioner. The commissioner may issue applications for moose hunting permits, issue permits and make all rules and regulations pertaining thereto. The commissioner may make all other rules and regulations which he considers necessary for the protection of the moose resource.

14. Closing of moose season. If, during the open season on moose, it is the opinion of the commissioner that more moose are being killed in any hunting zone than is in the best interests of conserving that species, he may terminate the season in that zone at once.

15. Importation. The importation of moose killed beyond the limits of the State is governed by section 7238.

Sec. 3. 12 MRSA § 7464, sub-§ 3, as enacted by PL 1979, c. 543, § 50, is amended to read:

3. Illegally transporting moose. A person is guilty of illegally transporting moose if he, at any time in any manner, moves or transports any moose, or any part of a moose which has been dismembered for transportation, and:

A. ~~The~~ A portion of the moose is not open to view;

B. The moose tag portion of the permit bearing the name and address of the person who killed the moose is not securely attached to the head of the moose;
or

C. The person who killed the moose does not accompany the moose while it is being moved or transported; or

D. If the moose is dismembered for ease of transportation, all pieces of the moose are not labeled with the name and address of the person who killed the moose.

Sec. 4. 12 MRSA § 7464, sub-§ 4, as enacted by PL 1979, c. 543, § 50, is amended to read:

4. False registrations of a moose. A person is guilty of false registration if he

presents for registration, or allows to be registered in his name, any moose which he ~~or his subpermittee~~ did not lawfully kill.

Sec. 5. 12 MRSA § 7464, sub-§ 5, ¶ B, as enacted by PL 1979, c. 543, § 50, is amended to read:

B. Keeps ~~an unregistered~~ 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 or unless an inland fisheries and wildlife warden has been notified by the person that a moose is being kept.~~

Sec. 6. 12 MRSA § 7464, sub-§ 6, as enacted by PL 1979, c. 543, § 50, is amended by adding at the end a new sentence to read:

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.

Sec. 7. 12 MRSA § 7464, sub-§ 7, as enacted by PL 1979, c. 543, § 50, is repealed and the following enacted in its place:

7. Illegal possession of moose parts. A person is guilty, notwithstanding subsection 3, of illegal possession of moose parts if he possesses any part or parts of a moose taken in accordance with this section, unless each separate part is plainly labeled with the following:

- A. The registration seal number; and**
- B. The name and address of the person who registered the moose.**

STATEMENT OF FACT

The purpose of this bill is to provide for the wise use and management of moose in Maine. Current timber harvesting practices have created and continue to create a large amount of excellent moose range in northern Maine. Presently, moose are very abundant throughout the area. Wildlife Managements Units 1 and 2 support a conservatively estimated population of 15,000 to 20,000 moose. Open seasons on moose, with conservative harvest limits, will create a high quality form of recreation which is in strong demand and significant economic benefits. At the same time, the Department of Inland Fisheries and Wildlife will be able to continue to gather the information needed to monitor and more effectively manage the herd.

Moose populations in high quality habitat can remain stable with an all cause annual removal of 20-25% of the population. Hunting, if properly controlled, will provide for the wise use of surplus animals and the maintenance of desired population levels. Observing and hunting moose are not mutually exclusive recreational pursuits. Numerous moose will be available for people who wish to view or photograph them.

It is estimated that this bill would generate \$450,000 in revenues.