

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 1234

6
7 H.P. 953

House of Representatives, March 17, 1983

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

10 EDWIN H. PERT, Clerk

11 Presented by Representative Lehoux of Biddeford.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT Concerning the Deer Hunting
18 Season.
19

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

22 Sec. 1. 12 MRSA §7457, sub-§1, ¶A, as amended by
23 PL 1981, c. 414, §31, is further amended to read:

24 A. There shall be an open season on deer, with
25 antlers 3 inches in length or longer, in each
26 calendar year in all counties of the State from
27 the 5th Monday preceding Thanksgiving to November
28 30th.

29 Sec. 2. 12 MRSA §7457, sub-§1, ¶¶B and C, as
30 enacted by PL 1979, c. 420, §1, are amended to read:

31 B. There shall be an open season on deer, with
32 antlers 3 inches in length or longer, in the Town

1 of Vinalhaven, and the islands within the con-
2 fines of the Town of Vinalhaven, to conform with
3 the open season on deer for Knox County.

4 C. There shall be an open season on deer, with
5 antlers 3 inches in length or longer, in the Town
6 of Southport, and the islands within the confines
7 of the Town of Southport, to conform with the
8 open season on deer in Lincoln County.

9 Sec. 3. 12 MRSA §7457, sub-§1, ¶E, as amended by
10 PL 1979, c. 543, §44, is further amended to read:

11 E. The commissioner may shorten the open season
12 on deer in any part of the State, provided that:

13 (1) The demarcation of the areas with the
14 shortened season follow recognizable physi-
15 cal boundaries, such as rivers and railroad
16 rights-of-way;

17 (2) The determination is made and published
18 prior to September 1st of any year; and

19 (3) The Saturday preceding the first day of
20 open season on deer, with antlers 3 inches
21 in length or longer, shall be an open day
22 for residents of this State only.

23 Sec. 4. 12 MRSA §7457, sub-§1, ¶H, as enacted by
24 PL 1981, c. 644, §24, is repealed and the following
25 enacted in its place:

26 H. Whenever, in his opinion, the population of
27 deer in any area of the State is such that addi-
28 tional harvest of deer is reasonably necessary to
29 properly manage the deer herd in the State in
30 balance with the available deer range and natural
31 food supply, the commissioner may by rule provide
32 for the issuance of deer management permits, per-
33 mitting the taking of one deer without antlers,
34 or with antlers less than 3 inches in length, for
35 each hunting group holding the permit, in addi-
36 tion to the limit of one deer that may otherwise
37 be taken by one person.

1 (1) In the issuance of permits the depart-
2 ment may give preference to state residents.

3 (2) The commissioner shall specify, with
4 respect to each issuance of these permits:

5 (a) The open season or part thereof and
6 the day or days of the season in which
7 the permits may be used;

8 (b) The specific area in which they are
9 valid;

10 (c) The manner of taking for which the
11 permits are valid, which shall conform
12 with the specifications as to the man-
13 ner of taking deer in the open season
14 for which the permits may be used;

15 (d) Whether the number of special per-
16 mits to be issued is limited and if so,
17 the number of the special permits to be
18 issued for that day or days or area;

19 (e) The method of application for and
20 issuance of the permits, including eli-
21 gibility and allocation among appli-
22 cants, except that hunting groups shall
23 be selected by a public chance drawing.
24 Alternative groups shall be chosen and
25 may receive permits in the event that
26 selected groups do not purchase per-
27 mits;

28 (f) The number of persons, no fewer
29 than one nor more than 4, who must join
30 in the application; and

31 (g) Such other rules as the commis-
32 sioner may determine.

33 (3) Each member of a group issued a permit
34 pursuant to this paragraph must possess a
35 valid hunting license issued pursuant to
36 section 7101 before the permit may be vali-
37 dated.

1 (4) During a license year, no person may use
2 more than one hunting license issued pur-
3 suant to section 7101 in making application
4 for a deer management permit, nor be a per-
5 mittee under more than one deer management
6 permit.

7 (5) The provisions of subsection 2 and of
8 section 7458, subsections 4 to 7, do not
9 apply when a deer is taken pursuant to a
10 deer management permit, but the commissioner
11 may by rule provide an alternative method of
12 identifying and reporting the deer taken.

13 (6) With each deer management permit there
14 shall be issued a tag or seal and a report-
15 ing form as the commissioner may determine
16 to be appropriate, and additional deer may
17 be taken only by the group member who, at
18 the time, is in physical possession of the
19 permit and any tag, seal and reporting form
20 issued with it.

21 (7) The commissioner may impose a fee of \$5
22 for each permit issued pursuant to this
23 paragraph.

24 Sec. 5. 12 MRSA §7458, sub-§2-A is enacted to
25 read:

26 2-A. Possession of antlerless deer. A person is
27 guilty of possessing antlerless deer if he possesses
28 a deer without antlers or whose antlers are less than
29 3 inches in length. This subsection does not apply to
30 any deer taken:

31 A. During any open season set out in sections
32 7102 and 7107; or

33 B. Pursuant to a valid deer management permit
34 issued under section 7457, subsection 1, para-
35 graph H.

1

STATEMENT OF FACT

2 The purpose of this bill is to establish a "bucks
3 only" general hunting season and to authorize the
4 Commissioner of Inland Fisheries and Wildlife to
5 establish additional hunting seasons when deer man-
6 agement permits may be issued allowing the taking of
7 one additional deer without antlers or with antlers
8 less than 3 inches in length for each permit issued.
9 This system is presently in effect in New York and
10 has proven very effective in building up the size and
11 strength of the deer herd, as well as providing fund-
12 ing for the department.

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