

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 367

6
7 S.P. 127

In Senate, February 1, 1985

8 Reference to the Committee on Fisheries and Wildlife suggested and
9 ordered printed.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Diamond of Cumberland.

11 Cosponsored by Representative Brown of Gorham and Senator Pearson
of Penobscot.

12 STATE OF MAINE
13

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

17 AN ACT to Establish a Maine Wild Turkey
18 Hunting Season.
19

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

22 Sec. 1. 12 MRSA §§7468 and 7469 are enacted to
23 read:

24 §7468. Wild turkeys

25 1. Wild turkey hunting district. A wild turkey
26 hunting district is established statewide, except for
27 those areas closed to hunting described in chapter
28 713, subchapter I.

29 2. Wild turkey hunting zones. The commissioner
30 may establish wild turkey hunting zones to be deline-
31 ated by recognizable physical boundaries such as
32 roads, rivers or railroad rights-of-way. All areas
33 of the State not included in the wild turkey hunting
34 zones are closed to wild turkey hunting.

1 3. Length of season. On or after January 1,
2 1986, the commissioner may establish open seasons on
3 wild turkeys between May 1st, and June 15th, within
4 the wild turkey hunting zones.

5 4. Hunting permits. The commissioner may estab-
6 lish the number of wild turkey permits for each wild
7 turkey hunting zone and may issue those permits annu-
8 ally. No more than 10% of the total wild turkey per-
9 mits may be issued to nonresident or alien hunters.
10 A person whose application is selected may obtain a
11 wild turkey hunting permit upon presentation of proof
12 that he possesses:

13 A. A valid Maine hunting license, if he is a
14 resident of the State; or

15 B. A valid Maine big game hunting license, if he
16 is a nonresident or alien.

17 5. Eligibility. Any Maine resident, nonresident
18 or alien who is eligible to obtain a Maine hunting
19 license is eligible to apply for a wild turkey hunt-
20 ing permit.

21 6. Application procedure. Eligible persons
22 wishing to apply for a permit shall file a written
23 application for a permit on a form furnished by the
24 commissioner. The application shall be accompanied
25 by an application fee of \$5 for residents and \$10 for
26 nonresidents and aliens. The application fee may not
27 be refunded. No person may file more than one appli-
28 cation. Any person who submits more than one appli-
29 cation shall be disqualified from the selection of
30 permittees.

31 7. Selection procedure. Permittees shall be
32 randomly selected. Alternates shall be chosen and
33 may receive permits in the event that selected hunt-
34 ers do not obtain permits.

35 8. Bag limit. The bag limit is one bearded wild
36 turkey per permit holder per season.

37 9. Legal hunting time. The legal hunting time
38 is 1/2 hour before sunrise to 11 a.m. each wild tur-
39 key hunting day.

1 10. Registration of harvested wild turkeys. All
2 wild turkeys legally harvested shall be presented for
3 inspection at an official wild turkey registration
4 station established by the commissioner to allow col-
5 lection of biological and hunting data. The entire
6 animal except the viscera shall be presented.

7 A. Each wild turkey legally presented for regis-
8 tration shall be tagged in the manner directed by
9 and the materials furnished by the commissioner.
10 A \$1 fee may be assessed for registration.

11 B. Any person killing a wild turkey under this
12 section shall present it for registration at an
13 official registration station and that wild tur-
14 key shall be registered in the name of the person
15 who killed the turkey. No person may present a
16 wild turkey for registration or allow to be reg-
17 istered in his name any wild turkey which he him-
18 self did not lawfully kill.

19 11. Questionnaires. Each permittee shall com-
20 plete a questionnaire, to be provided by the commis-
21 sioner, and return this questionnaire to the commis-
22 sioner within a period of 10 days after the close of
23 the wild turkey hunting season.

24 12. Authority of the commissioner. The commis-
25 sioner may issue applications for wild turkey hunting
26 permits, set the number of permits to be issued, es-
27 tablish wild turkey hunting zones, issue permits and
28 make all rules which he considers necessary for the
29 protection of the wild turkey resource.

30 §7469. Prohibited acts relating to wild turkeys

31 1. Illegal hunting of wild turkeys. A person is
32 guilty of illegally hunting wild turkeys, except in
33 accordance with section 7468.

34 2. Illegal possession of wild turkeys. A person
35 is guilty of illegal possession of wild turkeys if he
36 possesses any wild turkey, except in accordance with
37 section 7468.

38 3. Illegally transporting wild turkeys. A per-
39 son is guilty of illegally transporting wild turkeys

1 if he, at any time in any manner, moves or transports
2 any wild turkey, or any part of a wild turkey, and:

3 A. The wild turkey tag portion of the permit
4 bearing the name and address of the person who
5 killed the wild turkey is not securely attached
6 to the wild turkey; or

7 B. The person who killed the wild turkey does
8 not accompany the wild turkey while it is being
9 moved or transported.

10 4. False registration of a wild turkey. A per-
11 son is guilty of false registration if he presents
12 for registration, or allows to be registered in his
13 name, any wild turkey which he did not lawfully kill.

14 5. Failure to register wild turkey. A person is
15 guilty of failure to register a wild turkey if he
16 kills a wild turkey and fails to present it for reg-
17 istration in his name at the first open wild turkey
18 registration station on the route taken by him.

19 6. Keeping an unregistered wild turkey. A per-
20 son is guilty of keeping an unregistered wild turkey
21 if he keeps an unregistered wild turkey at his home,
22 or any place of storage except at an official wild
23 turkey registration station or at the office of an
24 inland fisheries and wildlife warden, for more than
25 12 hours.

26 7. Failure to attach wild turkey tag to wild
27 turkey. A person is guilty of failure to attach a
28 wild turkey tag to a wild turkey if, prior to pre-
29 senting a wild turkey for registration, he possesses
30 or leaves in the fields or forests a wild turkey
31 which he has killed which does not have securely at-
32 tached, and plainly visible, the wild turkey tag por-
33 tion of his permit, bearing his full name and ad-
34 dress.

35 8. Illegal possession of wild turkey parts. A
36 person is guilty, notwithstanding subsection 3, of
37 illegal possession of wild turkey parts if he pos-
38 sesses any part or parts of a wild turkey taken in
39 accordance with this section, unless each part is
40 plainly labeled with the name and address of the per-
41 son who registered the wild turkey.

1 9. Buying or selling wild turkey. A person is
2 guilty of buying or selling a wild turkey if he:

3 A. Buys, sells or offers for sale or barter any
4 wild turkey;

5 B. Aids in buying, selling or offering for sale
6 or barter any wild turkey; or

7 C. Counsels or otherwise aids in buying, sell-
8 ing, offering for sale or bartering any wild tur-
9 key.

10 10. Illegal hunting methods. A person is guilty
11 of using illegal hunting methods if he:

12 A. Employs the use of a dog or dogs in any man-
13 ner while hunting wild turkeys;

14 B. Uses electronic calling devices while hunting
15 wild turkeys;

16 C. Engages in any organized drive of any manner
17 while hunting wild turkeys;

18 D. Uses any bait; or

19 E. Uses any trap or other device intended or de-
20 signed for the purpose of capturing or ensnaring
21 wild turkeys.

22 11. Illegal weapons or ammunition. A person is
23 guilty of using illegal weapons or ammunition if he
24 uses any weapon or ammunition except the following:

25 A. Shotgun gauges 10 through 20 using shot sizes
26 2 through 6 inclusive; or

27 B. Bow and arrow.

28 Sec. 2. 12 MRSA §7901, sub-§8 is enacted to
29 read:

30 8. Wild turkey. A violation of section 7456,
31 subsections 3, 4, 5, and 6, as they apply to turkeys,
32 is a Class E crime. A convicted person shall be fined

1 not less than \$200, this fine is not to be suspended.
2 In addition, a convicted person shall be fined \$200
3 for each turkey illegally possessed or killed, this
4 fine is not to be suspended.

5 STATEMENT OF FACT

6 The purpose of this bill is to establish a lim-
7 ited wild turkey hunting season.

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