

MAINE STATE LEGISLATURE

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DATE: May 2, 1995 (Filing No. S- 105)

INLAND FISHERIES AND WILDLIFE

Reported by: Report C of the Committee.

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**STATE OF MAINE
SENATE
117TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "B" to S.P. 51, L.D. 80, Bill, "An Act to Amend the Muzzle-loading Firearm Season on Deer by Allowing the Season To Begin One Week before the Open Firearm Season on Deer"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 12 MRSA §7102-A, sub-§6, ¶C, as corrected by RR 1993, c. 1, §35, is amended to read:

C. The commissioner shall by rule establish a special archery season beginning at least 30 days prior and extending to the beginning of the regular--deer--hunting season,--as--described--in--section--7457,--subsection--1, paragraph-A, special muzzle-loading season established under section 7107-A, subsection 4 for the purpose of hunting deer with bow and arrow only. During the special archery season on deer, the following restrictions apply.

(1) Deer may be taken only by means of a hand-held bow and broadhead arrow, provided that:

(a) Bows must be of adequate strength to shoot an arrow at least 150 yards; and

(b) Arrowheads must be at least 7/8 inch in width.

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2 (2) A person may not carry firearms of any kind while
3 hunting any species of wildlife with bow and arrow
4 during the special archery season on deer, except that
5 any person who holds a license that allows hunting with
6 firearms may carry a handgun.

8 (3) If a person takes a deer with bow and arrow during
9 the special archery season on deer, that person is
10 precluded from further hunting for deer during that
11 year.

12 (4) Except as provided in this subsection, the
13 provisions of chapters 701 to 721 concerning deer are
14 applicable to the taking of deer with bow and arrow,
15 including the transportation, registration and
16 possession of deer taken by this method.

18 **Sec. 2. 12 MRSA §7107-A, sub-§4**, as amended by PL 1993, c.
19 574, §13, is further amended to read:

20
21 **4. Open season.** There is a special muzzle-loading open
22 season on deer ~~immediately following the regular deer hunting~~
23 ~~season~~ for the purpose of hunting deer only with muzzle-loading
24 firearms as defined in section 7001, subsection 23-A. The
25 commissioner may terminate this open season at any time, in any
26 area, if, in the commissioner's opinion, an immediate emergency
27 action is necessary due to adverse weather conditions or severe
28 hunting pressure. The length of the special muzzle-loading
29 season is as follows:

30
31 A. In 1994, the special muzzle-loading season extends for 6
32 hunting days;

33
34 B. In 1995 and 1996, ~~the commissioner shall establish by~~
35 ~~rule the length of the special muzzle-loading season. The~~
36 ~~commissioner may establish seasons of different lengths in~~
37 ~~different regions of the State. The season may extend for~~
38 ~~no more than 12 hunting days in any part of the State, and~~
39 the special muzzle-loading season:

40
41 (1) Begins on the Saturday preceding the open day for
42 residents established under section 7457, subsection 1,
43 paragraph E and ends on the day before the open day for
44 residents; and

45
46 (2) Begins again on the Monday following the close of
47 the open season on deer established under section
48 7457. The commissioner shall establish by rule the
49 length of this special muzzle-loading season and may
50 establish seasons of different lengths in different
51 regions of the State. The season may extend for no
52 more than 12 hunting days in any part of the State; and

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C. In 1997 and thereafter, the special muzzle-loading season ~~extends for 6 hunting days~~ begins on the Saturday preceding the open day for residents established under section 7457, subsection 1, paragraph E and ends on the day before the open day for residents.

Sec. 3. 12 MRSA §7457, sub-§1, ¶A, as amended by PL 1991, c. 170, is further amended to read:

A. Except as otherwise provided in this section ~~or by rule adopted by the commissioner pursuant to this section,~~ there is ~~an open season on deer in each calendar year in all counties of the State from the 5th Monday preceding Thanksgiving to November 30th,~~ the open season on deer begins on the first Monday after November 2nd and ends on the 4th Saturday after that date. ~~In any year when November 30th falls on a Wednesday, Thursday or Friday, the commissioner may, by rule, extend the open season on deer to the first Saturday in December. In any year in which the commissioner extends the season beyond November 30th, the commissioner shall by rule open the season in the northern portion of the State a week before opening the season in the southern portion of the State. The commissioner may by rule establish for this purpose a northern and a southern zone.~~

Sec. 4. Effective date. This Act takes effect January 1, 1996.'

Further amend the bill by inserting at the end before the statement of fact the following:

FISCAL NOTE

The Department of Inland Fisheries and Wildlife will incur some minor additional costs to adopt rules relating to changes in the muzzle-loading firearm season. These costs can be absorbed within the department's existing budgeted resources.'

STATEMENT OF FACT

This amendment replaces the bill. This is a minority report of the Joint Standing Committee on Inland Fisheries and Wildlife.

Beginning in 1996, the amendment starts the open deer season one week later to allow for a one week special muzzle-loading season between the bow hunting season and the open season. The amendment also creates a 2nd muzzle-loading season following the close of the open hunting season for 1996. The length of this

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2 2nd season is set by the Commissioner of Inland Fisheries and
Wildlife and may vary in different parts of the State, but in no
4 case may exceed 12 days. In 1997 and later years, the 2nd
week-long muzzle-loading season is eliminated. The Saturday
6 before the start of the open deer season remains a "residents
only" day.