

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 536

S.P. 182

In Senate, January 19, 1999

An Act to Improve Wild Game Transportation Laws.

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator KILKELLY of Lincoln.
Cosponsored by Representative DUNLAP of Old Town and
Senators: DAVIS of Piscataquis, LaFOUNTAIN of York, Representatives: TRUE of
Fryeburg, USHER of Westbrook.

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

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Sec. 1. 12 MRSA §7452, sub-§12, as enacted by PL 1979, c. 543, §40, is amended to read:

12. Illegal possession of a gift bear. A person is guilty, except as provided in ~~subsection 15, paragraph D~~ section 7531, and notwithstanding the provisions of subsection 13, of illegal possession of a gift bear if he ~~he~~ that person possesses any part or parts of a bear given to him ~~him~~ that person and:

- A. Each part is not plainly labeled with the name and address of the person who registered the bear;
- B. Each part is not plainly labeled with the name and address of the person to whom it was given; or
- C. Each part is not plainly labeled with the name and address of the party transporting the part or parts, if a 3rd party transports a part or parts.

Sec. 2. 12 MRSA §7452, sub-§13, as amended by PL 1995, c. 455, §28, is further amended to read:

13. Illegally transporting bear. A person is guilty, except as otherwise provided in chapters 701 to 721 and except as provided in ~~subsection 15, paragraph E~~ section 7531, of illegally transporting bear if, at any time and in any manner, that person moves or transports any bear, and:

- A. The bear is not open to view;
- B. A bear tag that conforms to the requirements of section 7451, subsection 4 is not securely attached to the bear; or
- C. The person who killed the bear does not accompany the bear while it is being moved or transported.

Sec. 3. 12 MRSA §7452, sub-§14, as enacted by PL 1979, c. 543, §40, is amended to read:

14. Transporting bear out-of-state. A person is guilty, except as provided in ~~subsection 15, paragraphs F and G~~ section 7531, of transporting bear out of this State if he ~~he~~ that person transports or attempts to transport any bear beyond the limits of this State.

Sec. 4. 12 MRSA §7452, sub-§15, ¶D, as enacted by PL 1979, c. 543, §40, is repealed.

2 **Sec. 5. 12 MRSA §7452, sub-§15, ¶D-1**, as enacted by PL 1989, c.
493, §34, is amended to read:

4 D-1. Notwithstanding subsection 13, paragraph A, that
6 provision does not apply to bear legally registered in
accordance with this subchapter; and

8 **Sec. 6. 12 MRSA §7452, sub-§15, ¶E**, as amended by PL 1981, c.
644, §21, is repealed.

10 **Sec. 7. 12 MRSA §7452, sub-§15, ¶F**, as amended by PL 1981, c.
12 644, §22, is repealed.

14 **Sec. 8. 12 MRSA §7458, sub-§11**, as amended by PL 1995, c. 455,
16 §33, is further amended to read:

18 **11. Illegally transporting deer.** A person is guilty,
20 except as otherwise provided in chapters 701 to 721 and except as
provided in subsection 15, paragraphs C-1, and C-2 and ~~--D-~~
section 7531, of illegally transporting deer if that person, at
any time and in any manner, moves or transports any deer and:

22 A. The deer is not open to view;

24 B. A deer tag bearing the name and address of the person
26 who killed the deer that conforms to the requirements of
section 7457, subsection 3 is not securely attached to the
28 deer; or

30 C. The person who killed the deer does not accompany the
32 deer while it is being moved or transported or allows the
deer to be transported while accompanied by another person
34 without obtaining the transportation permit required under
section 7531.

36 **Sec. 9. 12 MRSA §7458, sub-§12**, as enacted by PL 1979, c. 420,
38 §1, is amended to read:

40 **12. Transporting deer out of state.** A person is guilty,
except as provided in ~~subsection 15, paragraphs E and F~~ section
7531, of transporting deer out of this State if he that person
42 transports or attempts to transport any deer beyond the limits of
this State.

44 **Sec. 10. 12 MRSA §7458, sub-§15, ¶D**, as amended by PL 1981, c.
46 644, §25, is repealed.

48 **Sec. 11. 12 MRSA §7458, sub-§15, ¶E**, as amended by PL 1981, c.
644, §26, is repealed.

2 **Sec. 12. 12 MRSA §7458, sub-§15, ¶F**, as amended by PL 1981, c.
644, §27, is repealed.

4 **Sec. 13. 12 MRSA §7464, sub-§3, ¶C**, as amended by PL 1981, c.
6 118, §4, is further amended to read:

8 C. The person who killed the moose does not accompany the
10 moose while it is being moved or transported or allows the
12 moose to be transported while accompanied by another person
without obtaining the transportation permit required under
section 7531; or

14 **Sec. 14. 12 MRSA §7531**, as enacted by PL 1979, c. 420, §1, is
amended to read:

16 **§7531. Transportation by residents**

18 Any resident may transport ~~to his~~ home any wild animal or
20 wild bird ~~which he~~ that that resident has killed and ~~which that~~
22 is legally ~~in his possession~~ possessed, provided he ~~that that~~
24 resident is properly licensed and has met all other requirements
26 of chapters 701 to 721. A resident may have any lawfully
28 harvested wild animal or wild bird transported to a location
other than that person's home without accompanying the wild
animal or wild bird by obtaining a transportation permit from any
game warden. There is no fee for a permit issued under this
section.

30 **SUMMARY**

32 This bill repeals the \$55 fee on residents who transport
34 their deer or bear out of State, repeals the \$5 fee to have
someone else transport those animals in this State and eliminates
36 the requirement that nonresident hunters obtain a nonresident
transportation permit before transporting a deer or bear out of
38 State using someone other than a Maine licensed transportation
40 company.