

# MAINE STATE LEGISLATURE

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# 121st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2003

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Legislative Document

No. 1170

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H.P. 867

House of Representatives, March 5, 2003

### **An Act To Redefine "Muzzle-loading Firearm" and Expand the Muzzleloader Hunting Season**

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

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative TRAHAN of Waldoboro.

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

4 **Sec. 1. 12 MRSA §7001, sub-§1-H** is enacted to read:

6 **1-H. Basic muzzleloader.** "Basic muzzleloader" means a firearm that:

8 A. Is capable of being loaded only through the muzzle;

10 B. Is ignited by a matchlock, wheel lock, flintlock or  
12 caplock, including an in-line caplock or shotgun or rifle  
primer mechanism;

14 C. Has a rifled or smooth-bored barrel or barrels, with  
16 each barrel capable of firing only a single charge;

18 D. Is charged with black powder or black powder replica  
only;

20 E. Propels a ball, bullet or charge of shot; and

22 F. May have any type of sights, including scopes.

24 **Sec. 2. 12 MRSA §7001, sub-§23-A,** as repealed and replaced by  
26 PL 1993, c. 438, Pt. A, §2, is repealed and the following enacted  
in its place:

28 **23-A. Muzzle-loading firearm.** "Muzzle-loading firearm"  
30 means a basic muzzleloader, a primitive muzzleloader or a  
traditional muzzleloader.

32 **Sec. 3. 12 MRSA §7001, sub-§29-B** is enacted to read:

34 **29-B. Primitive muzzleloader.** "Primitive muzzleloader"  
means a firearm that:

36 A. Is capable of being loaded only through the muzzle;

38 B. Is ignited by a matchlock, wheel lock or flintlock  
40 mechanism;

42 C. Has a single rifled or smooth-bored barrel capable of  
44 firing only a single charge;

46 D. Is charged with black powder or black powder replica  
only;

48 E. Propels a lead round ball or charge of shot; and

50 F. May have only open or aperture sights.

2           **Sec. 4. 12 MRSA §7001. sub-§37-B** is enacted to read:

4           37-B. Traditional muzzleloader. "Traditional muzzleloader"  
means a firearm that:

- 6           A. Is capable of being loaded only through the muzzle;  
8           B. Is ignited by a matchlock, wheel lock, flintlock or  
10           caplock with an exposed ignition mechanism;  
12           C. Has a rifled or smooth-bored barrel or barrels, with  
14           each barrel capable of firing only a single charge;  
16           D. Is charged with black powder or black powder replica  
only;  
18           E. Propels a lead ball, full-bore diameter lead bullet or  
charge of shot; and  
20           F. May have only open or aperture sights.

22           **Sec. 5. 12 MRSA §7107-A. sub-§4. ¶B.** as amended by PL 1997, c.  
24 432, §21, is further amended to read:

26           B. The commissioner shall establish by rule the length of  
28 the special muzzle-loading season. The commissioner may  
establish seasons of different lengths in different regions  
30 of the State. ~~The season may extend for no more than 12~~  
~~hunting days in any part of the State.~~ The commissioner may  
32 establish different seasons for basic muzzleloaders,  
primitive muzzleloaders and traditional muzzleloaders.

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### SUMMARY

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38           This bill redefines "muzzle-loading firearm" by providing  
clear definitions of a basic muzzleloader, a primitive  
40 muzzleloader and a traditional muzzleloader. The bill strikes  
out language that limits the authority of the Commissioner of  
42 Inland Fisheries and Wildlife to extend the muzzle-loading open  
season on deer for more than 12 days in any part of the State.  
The bill authorizes the commissioner to establish different  
44 seasons for the 3 types of muzzleloaders.