

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 868

H.P. 617

House of Representatives, March 7, 2017

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**An Act Regarding Game That Is Confiscated in Connection with an  
Alleged Violation of Inland Fisheries and Wildlife Laws**

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

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative THERIAULT of China.  
Cosponsored by Representatives: ESPLING of New Gloucester, HANLEY of Pittston,  
HARLOW of Portland, HILLIARD of Belgrade, MASON of Lisbon, REED of Carmel,  
Senator: CYRWAY of Kennebec.

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

2 **Sec. 1. 12 MRSA §10503, sub-§5**, as amended by PL 2011, c. 253, §6, is further  
3 amended to read:

4 **5. Return of articles or proceeds to claimant.** If the court is, upon the hearing,  
5 satisfied that the fish, wildlife, currency or equipment possessed was not possessed in  
6 violation of this Part and that the claimant is entitled to the custody of any part of the  
7 articles, the court shall give the claimant an order in writing, directed to the officer having  
8 the articles in custody, commanding delivery to the claimant of the articles or proceeds  
9 derived from the sale of the articles, to which the claimant is found to be entitled, within  
10 48 hours after demand. With regard to a deer or moose seized by the department  
11 pursuant to section 10502, if the deer or moose possessed has been disposed of pursuant  
12 to subsection 2, the court shall order that the department issue to the claimant a permit to  
13 take a deer or moose, as applicable;

14 **SUMMARY**

15 This bill requires the court to order the Department of Inland Fisheries and Wildlife  
16 to issue a permit to take a deer or moose to a person found not to have violated the inland  
17 fisheries and wildlife laws when a deer or moose taken by the person and seized by the  
18 department had been disposed of before that finding was made.