

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1984 to June 20, 1985

Chapters 1-384

PUBLISHED BY THE REVISOR OF STATUTES IN ACCORDANCE WITH
MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 163-A,
SUBSECTION 4.

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
STATE OF MAINE

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1985

1. paragraphs C and D, shall apply to each loan or advance secured by a mortgage under section 436.

3. Aggregate mortgage loan limitation. The total amount which a credit union may invest in loans secured by first mortgages on real estate shall not exceed 35% of its share capital and surplus.

Effective September 19, 1985.

CHAPTER 95

S.P. 127 - L.D. 367

AN ACT to Establish a Maine Wild Turkey Hunting Season.

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

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

§7468. Wild turkeys

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

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

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

4. Hunting permits. The commissioner may establish the number of wild turkey permits for each wild turkey hunting zone and may issue those permits annually. No more than 10% of the total wild turkey permits may be issued to nonresident or alien hunters. A person whose application is selected may obtain a wild turkey hunting permit upon presentation of proof that he possesses:

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

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

5. Eligibility. Any Maine resident, nonresident or alien who is eligible to obtain a Maine hunting license is eligible to apply for a wild turkey hunting permit.

6. Application procedure. Eligible persons wishing to apply for a permit shall file a written application for a permit on a form furnished by the commissioner. The application shall be accompanied by an application fee of \$5 for residents and \$10 for nonresidents and aliens. The application fee may not be refunded. No person may file more than one application. Any person who submits more than one application shall be disqualified from the selection of permittees.

7. Selection procedure. Permittees shall be randomly selected. Alternates shall be chosen and may receive permits in the event that selected hunters do not obtain permits.

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

9. Legal hunting time. The legal hunting time is 1/2 hour before sunrise to 11 a.m. each wild turkey hunting day.

10. Registration of harvested wild turkeys. All wild turkeys legally harvested shall be presented for inspection at an official wild turkey registration station established by the commissioner to allow collection of biological and hunting data. The entire animal except the viscera shall be presented.

A. Each wild turkey legally presented for registration shall be tagged in the manner directed by and the materials furnished by the commissioner. A \$1 fee may be assessed for registration.

B. Any person killing a wild turkey under this section shall present it for registration at an official registration station and that wild turkey shall be registered in the name of the person who killed the turkey. No person may present a wild turkey for registration or allow to be registered in his name any wild turkey which he himself did not lawfully kill.

11. Questionnaires. Each permittee shall complete a questionnaire, to be provided by the commissioner, and return this questionnaire to the commissioner within a period of 10 days after the close of the wild turkey hunting season.

12. Authority of the commissioner. The commissioner may issue applications for wild turkey hunting permits, set the number of permits to be issued, establish wild turkey hunting zones, issue permits and make all rules which he considers necessary for the protection of the wild turkey resource.

§7469. Prohibited acts relating to wild turkeys

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

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

3. Illegally transporting wild turkeys. A person is guilty of illegally transporting wild turkeys if he, at any time in any manner, moves or transports any wild turkey, or any part of a wild turkey, and:

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

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

4. False registration of a wild turkey. A person is guilty of false registration if he presents for registration, or allows to be registered in his name, any wild turkey which he did not lawfully kill.

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

6. Keeping an unregistered wild turkey. A person is guilty of keeping an unregistered wild turkey if he keeps an unregistered wild turkey at his home, or any place of storage except at an official wild

turkey registration station or at the office of an inland fisheries and wildlife warden, for more than 12 hours.

7. Failure to attach wild turkey tag to wild turkey. A person is guilty of failure to attach a wild turkey tag to a wild turkey if, prior to presenting a wild turkey for registration, he possesses or leaves in the fields or forests a wild turkey which he has killed which does not have securely attached, and plainly visible, the wild turkey tag portion of his permit, bearing his full name and address.

8. Illegal possession of wild turkey parts. A person is guilty, notwithstanding subsection 3, of illegal possession of wild turkey parts if he possesses any part or parts of a wild turkey taken in accordance with this section, unless each part is plainly labeled with the name and address of the person who registered the wild turkey.

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

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

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

C. Counsels or otherwise aids in buying, selling, offering for sale or bartering any wild turkey.

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

A. Employs the use of a dog or dogs in any manner while hunting wild turkeys;

B. Uses electronic calling devices while hunting wild turkeys;

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

D. Uses any bait; or

E. Uses any trap or other device intended or designed for the purpose of capturing or ensnaring wild turkeys.

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

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

B. Bow and arrow.

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

8. Wild turkey. A violation of section 7456, subsections 3, 4, 5 and 6, as they apply to turkeys, is a Class E crime. A convicted person shall be fined not less than \$200, this fine is not to be suspended. In addition, a convicted person shall be fined \$200 for each turkey illegally possessed or killed, this fine is not to be suspended.

Sec. 3. Allocation: The following funds are allocated from the Department of Inland Fisheries and Wildlife to carry out the purposes of this Act:

	<u>1985-86</u>	<u>1986-87</u>
<u>INLAND FISHERIES AND WILDLIFE,</u>		
<u>DEPARTMENT OF</u>		
Bureau of Resource Management		
All Other	\$10,000	\$10,000

Effective September 19, 1985.

CHAPTER 96

S.P. 409 - L.D. 1132

AN ACT To Amend the Social Services Planning and Expenditures Act.

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

5 MRSA §§1641 to 1643, as enacted by PL 1983, c. 495, are repealed and the following enacted in their place: