



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1117

S.P. 337

In Senate, March 7, 2019

An Act To Encourage Turkey Hunting

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

A handwritten signature in black ink, appearing to read "D M Grant", is positioned above the printed name of the Secretary of the Senate.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BELLOWS of Kennebec.
Cosponsored by Representative HICKMAN of Winthrop and
Senators: DAVIS of Piscataquis, MIRAMANT of Knox, Representatives: ACKLEY of
Monmouth, HARNETT of Gardiner, MAXMIN of Nobleboro, WARREN of Hallowell.

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

2 **Sec. 1. 12 MRSA §11109, sub-§3, ¶E-1**, as repealed and replaced by PL 2015,
3 c. 494, Pt. D, §2, is amended to read:

4 E-1. A resident apprenticeship hunter license, which includes a bear hunting permit
5 ~~and a wild turkey hunting permit~~ under sections section 11151 ~~and 11155~~,
6 ~~respectively~~, is \$26 and permits hunting of all legal species, subject to the permit
7 requirements in subchapter 3.

8 **Sec. 2. 12 MRSA §11109, sub-§3, ¶O**, as amended by PL 2017, c. 164, §10, is
9 further amended to read:

10 O. A nonresident small game apprenticeship hunter license, which permits the
11 hunting of all legal species except deer, bear, moose, raccoon and bobcat, is \$75 ~~and~~
12 ~~includes a wild turkey hunting permit under section 11155.~~

13 **Sec. 3. 12 MRSA §11109, sub-§3, ¶P**, as repealed and replaced by PL 2015, c.
14 494, Pt. D, §2, is amended to read:

15 P. A nonresident apprenticeship hunter license, which permits the hunting of all legal
16 species and includes a bear hunting permit ~~and a wild turkey hunting permit~~ under
17 sections section 11151 ~~and 11155~~, ~~respectively~~, is \$115.

18 **Sec. 4. 12 MRSA §11155**, as amended by PL 2017, c. 85, §2, is repealed.

19 **Sec. 5. 12 MRSA §11701, first ¶**, as amended by PL 2017, c. 85, §3, is further
20 amended to read:

21 The commissioner may establish open seasons for hunting wild turkeys, designate
22 areas that are open to the taking of wild turkeys in any part of the State, ~~prescribe the~~
23 ~~form and regulate the number of permits to be issued, determine the number and sex of~~
24 ~~the birds to be harvested~~, establish bag limits, ~~establish permit eligibility requirements~~,
25 establish legal hunting times, specify the types of weapons to be used during any open
26 wild turkey hunting season and make any other rules that the commissioner considers
27 necessary for the protection of the wild turkey resource. The rules must permit the use of
28 a crossbow during an open season for hunting wild turkey, except that a person may not
29 hunt wild turkey with a crossbow from October 1st until the first day of the open season
30 established by the commissioner in the following year.

31 **Sec. 6. 12 MRSA §11752**, as affected by PL 2003, c. 614, §9 and repealed and
32 replaced by c. 655, Pt. B, §181 and affected by §422, is repealed.

33 **Sec. 7. 12 MRSA §11753**, as enacted by PL 2003, c. 655, Pt. B, §182 and affected
34 by §422, is repealed.

35 **Sec. 8. 12 MRSA §12301-A**, as amended by PL 2013, c. 387, §§4 to 6, is further
36 amended to read:

1 **§12301-A. Registration of harvested animals**

2 **1. Registration stations established.** The commissioner shall adopt rules governing
3 the establishment and closure of bear, deer, and moose ~~and wild turkey~~ registration
4 stations for the purpose of registering harvested bear, deer, and moose ~~and wild turkey~~
5 and to allow for the collection of biological and hunting data. Rules adopted pursuant to
6 this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter
7 2-A.

8 **2. Agents designated.** An agent designated by the commissioner must be in charge
9 of each bear, deer, or moose ~~or wild turkey~~ registration station.

10 **3. Agent duties.** Registration agents shall:

11 A. Register every bear, deer, or moose ~~or wild turkey~~ legally presented for
12 registration;

13 B. Attach a seal to each bear, deer, or moose ~~or wild turkey~~ in the manner directed
14 and with the materials furnished by the commissioner; and

15 C. Collect \$5 and retain \$2 for each seal from the person registering a bear, deer or
16 moose. The remaining \$3 must be returned to the department by the agent pursuant
17 to section 10801, subsection 3; and.

18 ~~D. Collect and retain \$2 for each wild turkey registered.~~

19 **Sec. 9. 12 MRSA §12302-A**, as enacted by PL 2003, c. 655, Pt. B, §228 and
20 affected by §422, is amended to read:

21 **§12302-A. Timely registration of bear, deer or moose**

22 **1. Requirement.** A person who kills a bear, deer, or moose ~~or wild turkey~~ shall:

23 A. Remain with that animal until it is registered, except as provided in section
24 12303-A;

25 B. Present that animal for registration in that person's name at the first open
26 registration station for that animal on the route taken by that person; and

27 C. Leave the registration seal attached to the animal in accordance with section
28 12301-A until that animal is processed and packaged for consumption.

29 **2. Penalty.** A person who violates this section commits a Class E crime.

30 **Sec. 10. 12 MRSA §12302-B** is enacted to read:

31 **§12302-B. Wild turkey statistics**

32 At the end of each turkey hunting season, a person who has hunted and killed a wild
33 turkey shall inform the department of the number of wild turkeys the person has killed.

34 **Sec. 11. 12 MRSA §12303-A**, as amended by PL 2017, c. 226, §§1 and 2, is
35 further amended to read:

1 **§12303-A. Time limits for registering bear, deer or moose**

2 **1. Time limits.** Except as provided in subsection 1-A, a person may not keep any of
3 the following unregistered wild animals at home or any place of storage for more than 18
4 hours:

- 5 A. Bear;
6 B. Deer; or
7 C. Moose; ~~or~~
8 D. ~~Wild turkey.~~

9 **1-A. Exceptions.** The following are exceptions to the time limitation for registering
10 harvested wild animals established in subsection 1:

- 11 A. A person may keep a harvested animal in an official registration station for that
12 animal or at the office of a game warden for more than 18 hours;
13 B. A person may leave an unregistered animal harvested by that person in the woods
14 if that person notifies a game warden within 18 hours as to the location of that animal
15 and the circumstances necessitating leaving that animal in the woods;
16 C. A person on a hunting trip in an unorganized township and staying at a temporary
17 place of lodging may keep an unregistered harvested animal at the temporary place of
18 lodging for no more than 7 days or until that person leaves the woods, whichever
19 comes first; and
20 D. A person may keep an unregistered animal harvested by that person if that person
21 notifies a game warden within 18 hours as to the location of that animal and the
22 circumstances preventing the person from registering the animal in accordance with
23 subsection 1.

24 **2. Penalty.** A person who violates this section commits a Class E crime.

25 **Sec. 12. 12 MRSA §12305**, as affected by PL 2003, c. 614, §9 and amended by c.
26 655, Pt. B, §233 and affected by §422, is further amended to read:

27 **§12305. False registration of bear, deer or moose**

28 **1. Prohibition.** A person may not present for registration or allow to be registered in
29 that person's name any of the following animals that that person did not lawfully kill:

- 30 A. Bear;
31 B. Deer; or
32 C. Moose; ~~or~~
33 D. ~~Wild turkey.~~

34 **2. Penalty.** A person who violates this section commits a Class E crime.

Sec. 13. 12 MRSA §12306, as affected by PL 2003, c. 614, §9 and amended by c. 655, Pt. B, §§234 to 236 and affected by §422, is further amended to read:

§12306. Possessing unregistered bear, deer or moose

1. Prohibition. A person may not possess any of the following animals if that animal has not been legally registered as provided in this chapter, unless that animal is possessed in accordance with chapter 921:

- A. Bear;
B. Deer; or
C. Moose; ~~or~~
~~D. Wild turkey.~~

3. Penalty. A person who violates this section commits a Class E crime.

Sec. 14. 12 MRSA §12351, sub-§1-A, as enacted by PL 2003, c. 655, Pt. B, §237 and affected by §422, is amended to read:

1-A. Transportation prior to registration. Prior to registration, a person may not transport a harvested bear, deer, or ~~moose or wild turkey~~ unless that animal is open to view. For purposes of this section, "open to view" means the animal is not concealed and can be readily observed in whole or in part from outside of the vehicle or trailer being used to transport the animal.

Sec. 15. Wild turkey bag limit. The Commissioner of Inland Fisheries and Wildlife shall amend the Department of Inland Fisheries and Wildlife's rules to change the wild turkey bag limit during the spring open season to 4 male wild turkeys and during the fall open season to 8 wild turkeys of either sex pursuant to the Maine Revised Statutes, Title 12, section 11701.

SUMMARY

This bill eliminates the turkey hunting permit and fee and the requirement to tag wild turkeys at registration stations. A hunter is directed to inform the Department of Inland Fisheries and Wildlife at the conclusion of each turkey hunting season of how many wild turkeys the hunter harvested. It directs the Commissioner of Inland Fisheries and Wildlife to amend the department's rules to increase the spring season bag limit to 4 male wild turkeys and the fall season bag limit to 8 wild turkeys of either sex.