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An Act To Establish a Special Handgun Hunting Season That Coincides with the Muzzle-loading Open Season on Deer

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

Sec. 1. 12 MRSA §10001, sub-§28-A is enacted to read:

28-A. Handgun. "Handgun" has the same meaning as set forth in Title 25, section 2002, subsection 8-A.

Sec. 2. 12 MRSA §10001, sub-§44, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

44. Open firearm season on deer. "Open firearm season on deer" means the time during which it is lawful to hunt deer with a firearm, including the special muzzle-loading season as described in section 11404 and the special handgun open season described in section 11405.

Sec. 3. 12 MRSA §11109, sub-§§10 and 11 are enacted to read:

10. Special handgun permit; issuance and agent's fee. Clerks or other agents appointed by the commissioner to issue special handgun permits to hunt during the special handgun open season established in section 11405 must charge a fee of \$1 for each special handgun permit issued. The commissioner shall charge a fee of \$1 for each special handgun permit issued by department employees.

11. Special handgun permits and fees. Special handgun permits and fees to hunt during the special handgun open season established in section 11405 are as follows:

A. A resident special handgun permit is \$13; and

B. A nonresident special handgun permit is \$69.

Sec. 4. 12 MRSA §11109-A, sub-§3, ¶A, as enacted by PL 2007, c. 163, §1 and affected by §3, is amended to read:

A. One deer during either the regular open firearm season or the regular archery-only season or the special muzzle-loading season or the special handgun open season in accordance with sections 11401, 11403 and 11404 and 11405, respectively;

Sec. 5. 12 MRSA §11401, sub-§1, ¶A, as amended by PL 2009, c. 134, §1, is further amended to read:

A. Except as otherwise provided in this subsection and sections 10952, 11152, 11403 and 11404 and 11405 or by rule adopted by the commissioner pursuant to section 11402, subsection 4, there is an open season for deer in each calendar year in all counties of the State between September 15th and December 20th annually. In a year that the regular season extends beyond November 30th, the regular season must start no later than the 4th Monday preceding Thanksgiving.

Sec. 6. 12 MRSA §11405 is enacted to read:

§ 11405. Special handgun deer hunting season

1. Handgun open season on deer. There is a special handgun open season on deer immediately following the regular deer hunting season established under section 11401, subsection 1, paragraph A for the purpose of hunting deer only with a handgun. The special handgun open season must coincide with the special muzzle-loading open season established in section 11404.

The commissioner may terminate this open season at any time in an area if, in the commissioner's opinion, an immediate emergency action is necessary due to adverse weather conditions or severe hunting pressure.

The commissioner shall establish by rule the length of the special handgun open season. The commissioner may establish seasons of different lengths in different regions of the State. The season may extend for no more than 12 hunting days in any part of the State.

2. Applicability of laws. The following provisions apply during the special handgun open season.

A. The commissioner's authority to regulate the harvest of antlerless deer under section 11152 is applicable during the special handgun open season.

B. Deer tags for the special handgun open season must be issued for use in the same manner as regular deer tags.

C. Except as provided in this section, the provisions of this Part relating to deer apply to the taking of deer with a handgun.

SUMMARY

This bill establishes a special handgun open season on deer that coincides with the special muzzle-loading season.