

128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 868

H.P. 617

House of Representatives, March 7, 2017

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

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

ROBERT B. HUNT Clerk

R(+ B. Hunt

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.

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

- **Sec. 1. 12 MRSA §10503, sub-§5,** as amended by PL 2011, c. 253, §6, is further amended to read:
- **5. Return of articles or proceeds to claimant.** If the court is, upon the hearing, satisfied that the fish, wildlife, currency or equipment possessed was not possessed in violation of this Part and that the claimant is entitled to the custody of any part of the articles, the court shall give the claimant an order in writing, directed to the officer having the articles in custody, commanding delivery to the claimant of the articles or proceeds derived from the sale of the articles, to which the claimant is found to be entitled, within 48 hours after demand. With regard to a deer or moose seized by the department pursuant to section 10502, if the deer or moose possessed has been disposed of pursuant to subsection 2, the court shall order that the department issue to the claimant a permit to take a deer or moose, as applicable;

14 SUMMARY

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