

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1997

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Legislative Document

No. 1051

H.P. 774

House of Representatives, February 13, 1997

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### **An Act to Enhance the State's Moose Hunt.**

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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 "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative PAUL of Sanford.  
Cosponsored by Senator KILKELLY of Lincoln and  
Representatives: CHICK of Lebanon, CLARK of Millinocket, DUNLAP of Old Town,  
NICKERSON of Turner, O'NEIL of Saco, SAMSON of Jay, SIROIS of Caribou, TUTTLE of  
Sanford.

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

2           **Sec. 1. 12 MRSA §7463-A, sub-§2-A, ¶C**, as enacted by PL 1993,  
4           c. 206, §4 and affected by §7, is amended to read:

6           C. In 1996 ~~and in each year thereafter~~, no more than 1,500  
8           permits; and

10          **Sec. 2. 12 MRSA §7463-A, sub-§2-A, ¶D** is enacted to read:

12          D. In 1997 and in each year thereafter, no more than 2,000  
14          permits.

16          **Sec. 3. 12 MRSA §7463-A, sub-§4**, as amended by PL 1995, c.  
16          443, §1, is repealed and the following enacted in its place:

18          **4. Hunting permits.** In accordance with the provisions of  
20          subsections 1-A and 2-A, the commissioner may issue moose hunting  
22          permits and may establish the number of moose hunting permits to  
24          be issued for each moose hunting zone. No more than 10% of the  
26          moose hunting permits may be issued to nonresident and alien  
28          hunters. A resident may apply for a moose hunting permit upon  
30          presentation of proof that the person possesses a valid Maine  
32          hunting license. A nonresident or alien need not possess a  
34          hunting license to apply for a permit but, if selected, may  
36          purchase the permit only upon presentation of proof that the  
38          nonresident or alien possesses a valid Maine big game hunting  
40          license.

32          The fee for a moose hunting permit is \$29 for 1997 and every year  
34          thereafter for residents and \$300 for 1997 and every year  
36          thereafter for nonresidents and aliens. While hunting moose,  
38          each nonresident or alien hunter, both permittee and  
40          subpermittee, must be in possession of a valid Maine nonresident  
42          or alien big game hunting license, whichever is applicable.

38          **Sec. 4. 12 MRSA §7463-A, sub-§4-A**, as repealed and replaced by  
40          PL 1993, c. 574, §22, is amended to read:

42          **4-A. Subpermittees.** A person may not hunt moose with a  
44          permittee unless the person is a subpermittee authorized in  
46          accordance with this subsection. ~~An applicant for a moose permit~~  
48          ~~may indicate on the application filed pursuant to subsection 6~~  
50          ~~the name of a subpermittee designate and the name of an alternate~~  
52          ~~subpermittee designate. If the applicant~~ If a person is issued  
a moose permit under subsection 7, the ~~subpermittee designate~~  
becomes ~~a subpermittee and the permittee may authorize the~~  
subpermittee person may indicate the name of a  
subpermittee-designate to participate in the moose hunt with the  
permittee. The permittee may also authorize the an alternate  
subpermittee-designate to participate in the hunt in place of the

subpermittee-designate if the permittee notifies the department of the authorization at least 5 business days prior to the first day of the moose season, in which case, the alternate subpermittee-designate becomes the subpermittee. The permittee may choose not to authorize a subpermittee to participate in the hunt, but a subpermittee must always be in the presence of the permittee while hunting moose. A subpermittee is not in the presence of the permittee if contact between the permittee and the subpermittee requires visual or audio enhancement devices, including binoculars or citizen band radios. A permittee may hunt moose with no more than one authorized subpermittee.

**Sec. 5. 12 MRSA §7463-A, sub-§5,** as amended by PL 1985, c. 120, §§1 and 2, is further amended to read:

~~5. Ineligibility for moose permit. Except as provided in this subsection, any Maine resident, nonresident or alien who is eligible to obtain a Maine hunting license is eligible to apply for a moose hunting permit.~~ ~~Ne~~ A person who has obtained a moose hunting permit may not obtain another permit until 2 years have elapsed since the issuance of the last permit. This limitation does not apply to subpermittees.

**Sec. 6. 12 MRSA §7463-A, sub-§14** is enacted to read:

14. Point system for public chance drawing. The department shall adopt rules establishing a point system for applicants for use beginning with the 1997 public chance drawing. This point system gives an applicant for a permit one point for each year the applicant applies for a permit, beginning in 1997. If an unsuccessful applicant applies for a permit in a following year, the applicant receives one additional point for each year the applicant applies until the applicant's name is selected at the public chance drawing. The next time a successful applicant applies for a permit, the successful applicant begins as a new applicant with one point and may accumulate points if unsuccessful. Each point entitles the applicant to one chance in the public chance drawing. Applicants may accumulate an unlimited number of points.

Rules establishing the point system adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

## SUMMARY

This bill makes the following changes to the laws pertaining to moose hunting.

- 2       1. It increases the maximum number of moose hunting permits  
to 2,000.
- 4       2. It requires that a Maine resident must purchase a Maine  
6       hunting license before entering an application in the moose  
lottery.
- 8       3. It allows a subpermittee to be named after the lottery  
10       drawing.
- 12       4. It directs the Department of Inland Fisheries and  
Wildlife to change the moose lottery to give applicants who were  
unsuccessful in previous lotteries a better chance of winning.