

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1435

H.P. 1024

House of Representatives, February 23, 1999

An Act to Promote Equitable and Professional Management of Moose.

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 USHER of Westbrook.
Cosponsored by Representatives: BOLDUC of Auburn, CLOUGH of Scarborough, GOOLEY of Farmington, LaVERDIERE of Wilton, LEMONT of Kittery, O'NEAL of Limestone, TRIPP of Topsham, WHEELER of Eliot.

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

2
3 **Sec. 1. 12 MRSA §7463-A, sub-§2-A**, as corrected by RR 1997, c.
4 1, §11, is amended to read:

6 **2-A. Number of permits.** The commissioner may issue moose
7 hunting permits ~~according to the following schedule~~ based on all
8 the professional, scientific information available.

10 A. ~~In 1994, no more than 1,200 permits,~~

12 B. ~~In 1995, no more than 1,400 permits,~~

14 C. ~~In 1996 and 1997, no more than 1,500 permits, and~~

16 D. ~~In 1998 and in each year thereafter, no more than 2,000~~
18 ~~permits.~~

20 **Sec. 2. 12 MRSA §7463-A, sub-§4**, as amended by PL 1995, c.
21 443, §1, is further amended to read:

22 **4. Hunting permits.** In accordance with the provisions of
23 subsections 1-A and 2-A, the commissioner may issue moose hunting
24 permits and may establish the number of moose hunting permits to
25 be issued for each moose hunting zone. No more than 10% of the
26 moose hunting permits may be issued to nonresident and alien
27 hunters. A person whose application is selected may purchase a
28 moose hunting permit upon presentation of proof that the person
29 possesses:

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

32 B. A valid Maine big game hunting license, if the person is
33 a nonresident or alien.

34 The fee for a moose hunting permit is ~~\$25 for 1993, \$27 for 1994,~~
35 ~~\$28 for 1995 and \$29 for 1996~~ \$30 for 2000 and every year
36 thereafter for residents and ~~\$200 for 1993, \$202 for 1994, \$300~~
37 ~~for 1995~~ \$300 for 2000 and every year thereafter for nonresidents
38 and aliens. While hunting moose, each nonresident or alien
39 hunter, both permittee and subpermittee, must be in possession of
40 a valid Maine nonresident or alien big game hunting license,
41 whichever is applicable.
42
43

44 **Sec. 3. 12 MRSA §7463-A, sub-§4-A**, as repealed and replaced by
45 PL 1993, c. 574, §22, is amended to read:

46 **4-A. Subpermittees.** A person may not hunt moose with a
47 permittee unless the person is a subpermittee authorized in
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2 accordance with this subsection. An applicant for a moose permit
4 may indicate on the application filed pursuant to subsection 6
6 the name of a subpermittee-designate and the name of an alternate
8 subpermittee-designate. If the applicant is issued a moose
10 permit under subsection 7, the subpermittee-designate becomes a
12 subpermittee and the permittee may authorize the subpermittee to
14 participate in the moose hunt with the permittee. The permittee
16 may authorize the alternate subpermittee-designate to participate
18 in the hunt in place of the subpermittee-designate if the
20 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~~ 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.

22 **Sec. 4. 12 MRSA §7463-A, sub-§6**, as amended by PL 1997, c. 24,
Pt. I, §3, is further amended to read:

24
26 **6. Application procedure.** Eligible persons wishing to
28 apply for a permit must file a written application for a permit
30 on a form furnished by the commissioner. The application fee
32 may not be refunded. The fee submitted by the subpermittee
34 applies to the alternate subpermittee-designate, if one is chosen
36 by the applicant. A person may not file more than one
38 application. Any person who submits more than one application is
40 disqualified from the selection of permittees. The application
42 must be accompanied by an application fee of:

34 A. For residents:

- 36
38 ~~(1) Five dollars for a one-chance application;~~
40 ~~(2) Ten dollars for a 3-chance application, A
42 resident must possess a valid big game hunting license
44 to be eligible to purchase a 3-chance application; and~~
46 ~~(3) Twenty dollars for a 6-chance application, A
48 resident must possess a valid big game hunting license
50 to be eligible to purchase a 6-chance application; or~~
(4) Five dollars and fifty cents for the applicant; and
(5) Five dollars and fifty cents for the
subpermittee-designate; or

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B. For nonresidents:

- ~~(1) Ten dollars for a one chance application;~~
- ~~(2) Twenty dollars for a 3 chance application; and~~
- ~~(3) Thirty dollars for a 6 chance application.~~
- (4) Thirty dollars and fifty cents for the applicant;
and
- (5) Thirty dollars and fifty cents for the
subpermittee-designate.

Sec. 5. 12 MRSA §7463-A, sub-§13, as amended by PL 1995, c. 455, §34, is repealed.

Sec. 6. 12 MRSA §7463-A, sub-§13-A is enacted to read:

13-A. Providing funding for youth conservation education programs. To provide for youth conservation programs:

A. Fifty cents from all resident and nonresident moose hunting applications must be dedicated to youth conservation education programs; and

B. All revenues derived from the application fees under this subsection must be deposited into a special nonlapsing account within the department, and that fund must be used to pay the cost of administration and to fund youth conservation education programs.

The commissioner shall adopt rules necessary for the proper administration, implementation, enforcement and interpretation of this subsection. Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter II-A.

Sec. 7. 12 MRSA §7463-A, sub-§14, as enacted by PL 1997, c. 432, §46, is repealed.

SUMMARY

This bill amends the moose hunting statutes to allow the number of permits to hunt moose to be based on current information available rather than set limits. It also changes the fee amounts for the permits and applications, as well as

2 assigning money from the applications to youth conservation
education programs. It repeals sections that establish public
4 auctions for moose hunting permits.