

MAINE STATE LEGISLATURE

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Date: 6/9/11

Minority

Memorandum
L.D. 291
(Filing No. H-599)

INLAND FISHERIES AND WILDLIFE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "B" to H.P. 235, L.D. 291, Bill, "An Act Regarding Eligibility for the Moose Lottery"

Amend the bill by striking out the title and substituting the following:

'An Act Regarding the Moose Lottery and Moose Management'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 12 MRSA §11109-A, sub-§1, as enacted by PL 2005, c. 477, §4, is amended to read:

1. Moose lottery chances. A super pack license includes, upon application, 6 chances one chance in the moose lottery under section 11154, subsection 6.

Sec. 2. 12 MRSA §11154, sub-§5, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

5. Eligibility. Except as provided in this subsection, a resident, nonresident or alien who is eligible to obtain a Maine hunting license or who will be eligible to obtain a Maine hunting license by the opening day of the open moose season is eligible to apply for a moose hunting permit. ~~A person who has obtained a moose hunting permit is ineligible to obtain another permit until 2 years have elapsed after the issuance of the last permit. This limitation does not apply to subpermittees under subsection 7.~~

Sec. 3. 12 MRSA §11154, sub-§6, as amended by PL 2009, c. 186, §4, is further amended to read:

6. Application procedure. An eligible person wishing to apply for a permit must file a written application for a permit on a form furnished by the commissioner. The application fee is nonrefundable. A person may file no more than one application. A person who submits more than one application is disqualified from the selection of permittees. The application must be accompanied by an application fee of:

A. For a resident:

(1) ~~Seven~~ Fifteen dollars for a one-chance application; or

(2) ~~Twelve dollars for a 3-chance application. A resident must possess a valid big game hunting license to be eligible to purchase a 3-chance application; and~~

(3) ~~Twenty-two dollars for a 6-chance application. A resident must possess a valid big game hunting license to be eligible to purchase a 6-chance application; or~~

B. For a nonresident:

(1) Fifteen dollars for a one-chance application;

(2) Twenty-five dollars for a 3-chance application;

(3) Thirty-five dollars for a 6-chance application; and

(4) Fifty-five dollars for a 10-chance application; multiple 10-chance options may be purchased.

A clerk or agent appointed by the commissioner under section 10801 may process an application under this subsection. The clerk or agent shall charge a fee of \$2 for each application under this subsection processed by that clerk or agent.

The commissioner shall allow an applicant to indicate that that applicant does not want to receive a moose permit pursuant to the application but wishes to receive the corresponding points under subsection 8 for that application.

Sec. 4. 12 MRSA §11154, sub-§7, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

7. Subpermittees. An applicant for a moose permit may indicate on the application filed pursuant to subsection 6 the name of a subpermittee-designate and the name of an alternate subpermittee-designate. If the applicant is issued a moose permit under subsection 9 and upon application to the commissioner, the permittee may change that person's subpermittee-designate or alternate subpermittee-designate until 30 days prior to the start of the moose hunting season for which the permit was issued. Thirty days prior to the start of the applicable moose hunting season, the subpermittee-designate becomes a subpermittee and the The permittee may authorize the subpermittee to participate in the moose hunt with the permittee. The permittee may authorize the 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.

A. A person may not sell a subpermittee or an alternate subpermittee designation.

B. A person who violates paragraph A commits a Class E crime.

Sec. 5. 12 MRSA §11154, sub-§8, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is repealed and the following enacted in its place:

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FISCAL NOTE REQUIRED
(See attached)



Approved: 06/08/11 *mac*

125th MAINE LEGISLATURE

LD 291

LR 1141(03)

An Act Regarding Eligibility for the Moose Lottery

Fiscal Note for Bill as Amended by Committee Amendment "B"

Committee: Inland Fisheries and Wildlife

Fiscal Note Required: Yes

Fiscal Note

No net revenue impact - General Fund

Correctional and Judicial Impact Statements

Establishes new Class E crimes.

The collection of additional fines may also increase General Fund revenue by minor amounts.

Fiscal Detail and Notes

This legislation eliminates the 3-chance and 6-chance moose application option for residents, allows people to accumulate points during years the person applies and does not receive a permit, allows people to use these points for additional chances in the moose permit lottery and allows people who are ineligible for a permit to continue purchasing applications in order to accumulate points for future lotteries. The Department of Inland Fisheries and Wildlife indicates there should be no net effect on General Fund revenue as a result of these provisions.