

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 177

S.P. 66

In Senate, January 31, 2013

An Act To Expand Moose Hunting Opportunities

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator SAVIELLO of Franklin.

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

2 **Sec. 1. 12 MRSA §10263**, as enacted by PL 2011, c. 370, §2, is amended to read:

3 **§10263. Moose Research and Management Fund**

4 The Moose Research and Management Fund, referred to in this section as "the fund,"
5 is established within the department as a nonlapsing fund to be used by the commissioner
6 to fund or assist in funding the research and the management of moose, including
7 addressing moose health issues and overbrowsing of land, and to promote and market
8 moose hunting. ~~One hundred dollars from each nonresident or alien moose hunting~~
9 ~~permit issued under section 11154, subsection 3 must be deposited in the fund. In~~
10 ~~addition, up to \$25,000 may be deposited in the fund from~~ Twenty-five percent of all the
11 revenues generated by moose hunting application and permit fees to carry out the
12 department's documented moose research must be deposited in the fund. The
13 commissioner may accept and deposit into the fund monetary gifts, donations or other
14 contributions from public or private sources for the purposes specified in this section.
15 The fund must be held separate and apart from all other money, funds and accounts.

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

18 **2. Issuance of moose hunting permits.** In accordance with section 11552, the
19 commissioner may issue moose hunting permits and may establish the number of moose
20 hunting permits to be issued for each wildlife management district established by the
21 commissioner by rule open to moose hunting. ~~No more than 10% of the moose hunting~~
22 ~~permits may be issued to nonresident and alien hunters.~~

23 **Sec. 3. 12 MRSA §11154, sub-§6**, as amended by PL 2011, c. 370, §6, is further
24 amended to read:

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

30 A. For a resident:

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

32 B. For a nonresident:

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

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

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

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

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

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

7 **Sec. 4. 12 MRSA §11154, sub-§8**, as repealed and replaced by PL 2011, c. 370,
8 §8, is repealed.

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

11 **9. Selection procedure.** The commissioner by rule shall establish a system for
12 selecting permittees. The system must include a drawing that ensures that applicants who
13 apply over a number of consecutive years are guaranteed, based on the numbers of
14 applicants and permits issued, to eventually receive a permit.

15 A. In designing the system, the commissioner shall ensure that, except as otherwise
16 provided in this section:

17 (1) Ten percent of the moose hunting permits are available to licensed guides
18 and persons associated with commercial sporting camps in accordance with
19 paragraph B;

20 (2) Fifteen percent of the moose hunting permits are available to nonresidents
21 and aliens; and

22 (3) The remaining moose hunting permits are available to residents.

23 B. The commissioner shall establish a system to auction 10% of the moose hunting
24 permits to eligible applicants who submit the highest bids. Persons eligible to
25 participate in this auction are guides licensed under chapter 927 and persons
26 associated with commercial sporting camps as defined by the commissioner by rule.
27 A person who applies for a moose hunting permit under this paragraph is subject to
28 the eligibility provisions of subsection 5, except that a successful applicant is not
29 required to wait 3 years in order to obtain another permit.

30 Rules adopted under this subsection are routine technical rules as defined in Title 5,
31 chapter 375, subchapter 2-A.

32 **Sec. 6. 12 MRSA §11552, sub-§2, ¶A**, as enacted by PL 2003, c. 414, Pt. A, §2
33 and affected by c. 614, §9, is amended to read:

34 A. ~~The~~ In accordance with subsection 3, the number of moose hunting permits to be
35 issued every year, including a percentage for antlerless moose;

36 **Sec. 7. 12 MRSA §11552, sub-§3** is enacted to read:

37 **3. Number of permits issued.** The number of moose hunting permits issued each
38 year must be based on the most recent reliable moose population estimate available to the
39 commissioner; however, the commissioner may not increase the number of moose

1 hunting permits over the number issued in the previous hunting season if in the previous
2 hunting season the success rate of hunters hunting moose was less than 35%.

3 A. Until a more reliable estimate of the moose population is available to the
4 commissioner, the commissioner shall use the department's most reliable estimate as
5 of January 1, 2013 to establish the number of moose hunting permits in accordance
6 with this paragraph. The commissioner shall apply this moose population estimate in
7 accordance with the department's determination of the allowable moose harvest
8 percentages in each wildlife management district and the department's most recent
9 moose management plan and subtract from the results the number of permits issued
10 in those districts in the 2013 hunting season. The resulting number for each wildlife
11 management district is referred to in this paragraph as "the target permit number
12 increase."

13 (1) For the 2014 hunting season, the commissioner shall issue a number of
14 permits for each wildlife management district that equals the number of permits
15 issued for that district in 2013 plus 1/3 of the target permit number increase.

16 (2) For the 2015 hunting season, the commissioner shall issue a number of
17 permits for each wildlife management district that equals the number of permits
18 issued for that district in 2013 plus 2/3 of the target permit number increase.

19 (3) For the 2016 hunting season and subsequent hunting seasons, the
20 commissioner shall issue a number of permits for each wildlife management
21 district that equals the number of permits issued for that district in 2013 plus the
22 target permit number increase.

23 **SUMMARY**

24 This bill:

25 1. Increases the number of moose hunting permits issued by the Department of
26 Inland Fisheries and Wildlife based on the latest moose population estimate. It provides
27 that the increase is phased in over 3 years;

28 2. Changes the system for issuing moose permits from the current chance lottery
29 system to a drawing in which persons who apply over a number of consecutive years may
30 be guaranteed to receive a permit. It sets aside 15% of the permits for nonresidents and
31 aliens. Ten percent of the permits must be auctioned to licensed guides and persons
32 associated with sporting camps. The remainder of the permits are available to Maine
33 residents; and

34 3. Provides that 25% of the revenues from the moose hunting application and permit
35 system is deposited in the Moose Research and Management Fund and modifies the
36 purposes of the fund to include addressing moose health issues and overbrowsing of land
37 and promoting and marketing moose hunting.