



132nd MAINE LEGISLATURE

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Legislative Document

No. 27

S.P. 42

In Senate, January 8, 2025

An Act to Amend and Simplify Certain Inland Fisheries and Wildlife Licensing and Permitting Laws

Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 204.
Received by the Secretary of the Senate on January 6, 2025. Referred to the Committee on
Inland Fisheries and Wildlife pursuant to Joint Rule 308.2 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 CARNEY of Cumberland.

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

2 **Sec. 1. 12 MRSA §11108, sub-§1**, as amended by PL 2023, c. 239, §16, is further
3 amended to read:

4 **1. On certain land.** Notwithstanding section 11109, subsection 1 as it applies to this
5 subchapter, and subject to all other applicable laws and rules, a resident and a member of
6 the resident's immediate family, as long as the hunter's license to hunt is not under
7 suspension or revocation, may hunt without a license, including, but not limited to, a license
8 to hunt with a firearm, an archery hunting license and a muzzle-loading permit, on a single
9 plot of land:

- 10 A. To which they are legally entitled to possession;
- 11 B. On which they are actually domiciled; and
- 12 C. ~~That is used exclusively for agricultural purposes; and~~
- 13 D. That is ~~in excess of 10~~ or more contiguous acres in size.

14 **Sec. 2. 12 MRSA §11154, sub-§15**, as corrected by RR 2021, c. 2, Pt. B, §75, is
15 amended to read:

16 **15. Moose permit transfer; family members.** The commissioner, in cases involving
17 exceptional extenuating circumstances as determined by the commissioner, may authorize
18 a person who holds a valid moose permit to transfer that permit to a family member who
19 meets the eligibility and permit requirements under this section and who is not otherwise
20 prohibited from holding the moose permit, except that the commissioner shall transfer a
21 moose permit to a family member who meets the eligibility and permit requirements under
22 this section and who is not otherwise prohibited from holding the moose permit if the
23 permit holder dies at any time prior to or during the moose hunting season if a moose has
24 not yet been harvested under that permit. A transferor and a transferee are subject to the
25 elimination of any accumulated points under subsection 8 and the 3-year ineligibility period
26 under subsection 5. For purposes of this subsection, "family member" means the
27 transferor's spouse, child, stepchild, grandchild, parent, grandparent, stepparent, sibling,
28 ~~half-sibling~~ or adopted child; the transferor's sibling's child; the transferor's spouse's
29 sibling's child; or the transferor's parent's sibling or that sibling's spouse.

30 The commissioner shall adopt rules to implement this subsection and may establish a
31 transfer fee to recover administrative costs associated with transferring moose permits.
32 Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5,
33 chapter 375, subchapter 2-A.

34 **Sec. 3. 12 MRSA §11154, sub-§18**, as enacted by PL 2023, c. 127, §1, is amended
35 to read:

36 **18. Moose permit deferment; multiple permits in single household.** The
37 commissioner may authorize a person who holds a valid moose permit to defer the permit
38 until the next moose hunting season in circumstances in which a member of that permit
39 holder's household also holds a valid moose permit for the same hunting season. For the
40 purposes of this subsection, members of a household are limited to a spouse, grandparent,
41 parent, stepparent, child, stepchild, grandchild, sibling and stepgrandchild sharing the same
42 legal address. Under this subsection, the person is ineligible to be selected for another

1 moose permit in accordance with subsection 5 beginning in the calendar year that the
2 person uses a permit deferred.

3 For the purposes of this subsection, "next moose hunting season" means the moose hunting
4 season in the calendar year immediately following a person's selection under subsection 9.

5 **Sec. 4. 12 MRSA §12202, sub-§3**, as enacted by PL 2003, c. 414, Pt. A, §2 and
6 affected by c. 614, §9, is repealed.

7 **Sec. 5. 12 MRSA §12202, sub-§4** is enacted to read:

8 **4. Minimum acreage.** That is 10 or more contiguous acres in size.

9 **Sec. 6. 12 MRSA §12503, sub-§2**, as amended by PL 2023, c. 405, Pt. A, §31, is
10 further amended to read:

11 **2. Land used for agricultural purposes legally possessed by resident; domicile; 10**
12 **or more contiguous acres in size.** Notwithstanding section 12501, subsection 1 and
13 subject to all other applicable laws and rules, any resident and any member of the resident's
14 immediate family, as long as the angler's license to fish is not under suspension or
15 revocation, may fish without a license in open inland waters from land:

16 A. To which they are legally entitled to possession;

17 B. On which they are actually domiciled; and

18 ~~C. That is used exclusively for agricultural purposes.~~

19 **D. That is 10 or more contiguous acres in size.**

20 SUMMARY

21 This bill changes the provisions of law governing a resident and the resident's
22 immediate family hunting, trapping or fishing without a license on land on which they are
23 legally domiciled so that all of the provisions require the land to be 10 or more contiguous
24 acres in size. The bill also repeals the provisions requiring that the land be used exclusively
25 for agricultural purposes in order for the resident and the resident's immediate family to
26 hunt, trap or fish on the land without a license.

27 The bill also amends the provision of law governing hunting without a license to clarify
28 that the provision applies to a license to hunt with a firearm.

29 The bill also amends the definition of "family member" in the provision governing
30 transfers of moose permits to family members to include the transferor's sibling's child; the
31 transferor's spouse's sibling's child; and the transferor's parent's sibling or that sibling's
32 spouse. The bill removes half-siblings as eligible persons under this provision.

33 The bill also amends the provision governing deferment of moose permits to the next
34 moose hunting season when a member of the permit holder's household also holds a valid
35 moose permit for that same hunting season to provide that spouses and siblings of the
36 permit holder sharing the same legal address as the permit holder are considered members
37 of the permit holder's household.