

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-SIX

—
H.P. 1378 - L.D. 2054

An Act to Clarify the Laws Regarding Moose Hunting Permits for Hunting Outfitters

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

Sec. 1. 12 MRSA §11154, sub-§2, as repealed and replaced by PL 2021, c. 184, §3, is amended to read:

2. Issuance of moose hunting permits. In accordance with section 11552, the commissioner may issue moose hunting permits and may establish the number of moose hunting permits to be issued for each wildlife management district established by the commissioner by rule open to moose hunting. No more than 8% of the moose hunting permits may be issued to nonresidents. No more than 2% of the moose hunting permits may be issued to hunting outfitters in accordance with subsection 14 14-A.

Sec. 2. 12 MRSA §11154, sub-§14, as amended by PL 2017, c. 458, §2, is repealed.

Sec. 3. 12 MRSA §11154, sub-§14-A is enacted to read:

14-A. Moose hunting lodge permits. A moose hunting permit issued to a hunting outfitter, referred to in this section as a "moose hunting lodge permit," must be allocated through a chance drawing separate from the public chance drawing under subsection 9. The fee for a moose hunting lodge permit is \$1,500.

A. For the purposes of this subsection, "hunting outfitter" means a person that operates a sporting camp, as defined in Title 22, section 2491, subsection 11, that is licensed under Title 22, chapter 562 and:

- (1) Offers a package deal that includes food, lodging and the services of a hunting guide licensed under chapter 927 for the purpose of hunting;
- (2) Offers the services of a hunting guide licensed under chapter 927 for at least 3 months per year; and
- (3) Has provided guided moose hunts in the State out of the sporting camp for at least 3 of the last 5 calendar years.

B. The department shall develop an affidavit that a hunting outfitter that applies for a moose hunting lodge permit must sign and attest that the hunting outfitter meets the requirements of this section.

C. A hunting outfitter that applies for a moose hunting lodge permit and identifies the wildlife management district in which the applicant's licensed sporting camp is located as the hunting outfitter's first choice on the application will be given preference for a permit in that wildlife management district in the moose hunting lodge permit chance drawing.

D. A hunting outfitter that receives a moose hunting lodge permit through the chance drawing described in this subsection may sell or transfer that permit only once, only to a hunter who is eligible under paragraph H and only under the following conditions:

(1) The sale or transfer must be part of a package deal that includes the food and lodging to be provided by the hunting outfitter to the person receiving the moose hunting lodge permit;

(2) The hunter receiving the moose hunting lodge permit from the hunting outfitter must be accompanied during the hunt by a guide licensed under chapter 927;

(3) The hunting outfitter must notify the department of the identity of the hunter receiving the moose hunting lodge permit;

(4) The moose hunting lodge permit may not be sold or transferred by the hunter; and

(5) The hunting outfitter may not buy, barter or sell or offer to buy, barter or sell a moose hunting lodge permit or the authority granted by a moose hunting lodge permit issued under this subsection to another hunting outfitter.

E. A hunting outfitter may be allocated more than one moose hunting lodge permit through the chance drawing described in this subsection.

F. A moose hunting lodge permit may be used only for the year, season, sex and wildlife management district for which the permit is issued except that:

(1) A moose hunting lodge permit may be swapped with any other moose hunting lodge permit; and

(2) A moose hunting lodge permit may not be swapped with a permit allocated under the public chance drawing under subsection 9 unless the original hunting outfitter that was awarded the moose hunting lodge permit wishes to swap for purposes of relocating that hunting outfitter's hunt to the wildlife management district where that hunting outfitter's licensed facility is located.

G. Moose hunting lodge permits allocated under this subsection may not exceed 5% of the total moose permits issued per year for each season, sex and wildlife management district permit type.

H. A resident or nonresident 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 hunt with a moose hunting permit issued under this subsection.

I. A hunter who obtains a moose hunting lodge permit is ineligible to apply for or obtain a permit from the public chance drawing under subsection 9 until the 4th calendar year after the issuance of the last permit.

J. If proceeds in any year from the auction authorized under subsection 11 are less than \$107,000, proceeds from the sale of moose hunting lodge permits must be used to fund youth conservation education programs as provided under subsection 11 in an amount of up to \$107,000. The remainder must be deposited in the Moose Research and Management Fund under section 10263.

K. A recipient of a moose hunting lodge permit may not sell a subpermittee or an alternate subpermittee designation.

L. The commissioner may authorize a person who holds a moose hunting lodge permit to defer the permit pursuant to subsections 12 and 17.

Sec. 4. Department of Inland Fisheries and Wildlife to update moose hunting lodge permit public chance drawing system. The Department of Inland Fisheries and Wildlife shall update the moose hunting lodge permit chance drawing system under the Maine Revised Statutes, Title 12, section 11154, subsection 14-A to allow an applicant to indicate on the permit application the applicant's preference for moose hunting season and wildlife management district with the goal of reducing the need for hunting outfitters to swap permits.