

Office of Policy and Legal Analysis

Date: 3-29-21
To: Joint Standing Committee on Inland Fisheries and Wildlife
From: Jon Clark, Deputy Director, OPLA
Re: [LD 544](#), “An Act To Eliminate Moose Permits for Hunting Lodges” (Andrews)

Bill Summary

This bill repeals the provision of law that grants moose permits to hunting outfitters through a separate chance lottery.

The elements of the current separate lottery for hunting outfitters (sporting camps) ([12 MRSA 11154\(14\)](#)) are as follows:

- “Hunting outfitter” is a person who
 - operates a licensed sporting camp, and
 - provides package deals that include food, lodging and the services of a guide for the purpose of hunting.
- “Sporting camp” (22 MRSA 2491 (11)) means a building or group of buildings devoted primarily to the offering of primitive lodging for a fee to persons who want primitive recreation, snowmobiling, hunting, fishing and similar camps, not including summer sports programs overseen by employees or volunteers of municipalities and educational institutions when the activities generally take place at municipal or institutional properties and buildings.
 - Sporting camps are licensed under [22 MRSA ch 562](#)
- Up to 10% of the total permits issued/year for each season, sex, and WMD permit type may be allocated under this separate lottery
- An outfitter may be allocated more than one permit
- The fee for a permit is \$1,500
 - The outfitter may sell or transfer a permit (only once) to a hunter eligible to obtain a permit -- the hunter can’t further sell or transfer the permit
 - The sale or transfer must be part of a package deal that includes the food and lodging provided by the outfitter
- A permit may only be used for the year, season, sex and district for which permit issued
- A hunter receiving a permit must be accompanied by a licensed guide during the hunt
- If proceeds from the auction to fund youth conservation education (up to 10 permits may be auctioned per year) are less than \$107,000, proceeds from this lottery for lodges are used to fund youth conservation education, up to the \$107,000. The rest of the proceeds are deposited in the Moose Research and Management Fund.

This bill also resolves a technical conflict created in 2018 when the provision granting moose permits to hunting lodges was enacted (see end of memo for description of the conflict and resolution).

Testimony
3-15-21

PRO:

Fairness: lodges vs guides

Some are not using their lodge for the hunt (tent guiding); suggested changes:

- require camp to be where the package deal hunt provided or require camp to be in zone where permit issued or
- allow any licensed guide to be eligible for this separate lottery

Make changes or end it

CON:

Program has lived up to purpose: save the lodges and provide further income to DIFW

Lodges provide economic benefits

Essential program – supports cost of running camps/meeting license requirements

This is not the time, during pandemic hardship, to change anything

NF/NA

Hunting camps were endangered, loss of deer population/hunting in north Maine woods; program designed to save camps and is helping -- improve program, if warranted, but don't end now

Additional Information:

➤ DIFW indicated

- Typically about 85% of the sporting camp applicants win a permit.
- Number of permits allocated since the law enacted in 2019:

50	2019
57	2020
62	2021

➤ Information on the moose lottery and lottery probabilities ([DIFW information](#))

Fiscal Impact: Not yet determined

Information on conflict resolved by bill:

PL 2017 c 427 §11 provided (conflicting provisions highlighted):

2. (CONFLICT: Text as amended by PL 2017, c. 427, §11) 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 10% of the moose hunting permits may be issued to nonresident hunters.

PL 2017 c 458 §1 (the law granting moose permits to hunting lodges), provided (conflicting provision highlighted):

2. (CONFLICT: Text as amended by PL 2017, c. 458, §1) 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 nonresident and alien hunters. No more than 2% of the moose hunting permits may be issued to hunting outfitters in accordance with subsection 14.

The bill resolves the conflict by reenacting the 1st version (one that does not include a reference to permits issued to moose outfitters).