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Public Law
123rd Legislature
First Regular Session

Chapter 161
S.P. 57 - L.D. 175

An Act To Fund Youth Conservation Education

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, youth conservation education is critical to the future of Maine's natural resources; and

Whereas, a significant portion of funding for youth conservation education programs comes from the auction of moose hunting permits and the demand for these programs has far exceeded the revenues generated by the current auction of 5 permits; and

Whereas, this Act needs to take effect immediately to allow the Commissioner of Inland Fisheries and Wildlife to add to the 2007 moose hunting permit auction an additional 5 permits to more adequately meet the needs of those who wish to attend the youth conservation education programs this year; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 12 MRSA §11154, sub-§11, as affected by PL 2003, c. 614, §9 and amended by c. 655, Pt. B, §§128 and 129 and affected by §422, is further amended to read:

11. Auction of moose hunting permits to fund youth conservation education programs. Notwithstanding subsection 1, the commissioner may issue not more than 510 moose hunting permits each year through public auction in accordance with this subsection.

A. Each moose hunting permit issued under this subsection must be awarded through public auction to the applicant who submits the highest bid.

B. A person who applies for a moose hunting permit under this subsection is subject to the eligibility provisions of subsection 5, except that a successful applicant is not required to wait 2 years in order to obtain another permit.

C. An eligible person wishing to apply for a permit under this subsection must submit a written application in such form as the commissioner may require. The application must be accompanied by a bidding fee of \$25, which, except as otherwise provided in paragraph D, is nonrefundable. The commissioner may waive the requirements of this paragraph when, as provided in paragraph G, the commissioner enters into a contract with a conservation organization to auction the permits.

D. An eligible person may apply for a moose hunting permit both through the public chance drawing and in accordance with this subsection. If a person is selected to receive a moose hunting permit as a result of the public chance drawing, that person is no longer eligible to obtain a permit under this subsection and the bidding fee submitted by that person must be refunded.

E. A moose hunting permit issued under this subsection is valid in the district designated by the permittee. This designation must be made within 30 days after the permit is awarded.

F. A person who is awarded a moose hunting permit under this subsection may select a subpermittee to participate in the moose hunt as provided in subsection 7.

G. The commissioner may enter into a contract with a conservation organization whose goals and objectives are not inconsistent with those of the department to advertise this process of issuing permits, auction the permits and collect revenues.

H. Except as otherwise provided, the provisions of this Part relating to moose are applicable to the hunting of moose with a permit awarded under this subsection.

I. The commissioner may adopt rules necessary for the proper administration, implementation, enforcement and interpretation of this subsection. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

J. Notwithstanding this subsection, the total number of moose hunting permits issued each year must be in accordance with section 11552, subsection 2.

K. The commissioner may decline to issue any permit or any number of permits issuable pursuant to this subsection if, in the commissioner's opinion, the auction bids received do not reflect the public value anticipated to meet the goals of this subsection. Any permit or permits not issued under this subsection must be drawn in the public chance drawing pursuant to subsection 9.

Sec. 2. Application. The Commissioner of Inland Fisheries and Wildlife shall carry out the purposes of this Act for the 2007 moose hunting permit auction.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

Public Information and Education, Division of 0729

Initiative: Allocates additional funds for youth conservation education purposes.

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
All Other	\$25,000	\$25,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$25,000	\$25,000
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Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective May 23, 2007.