



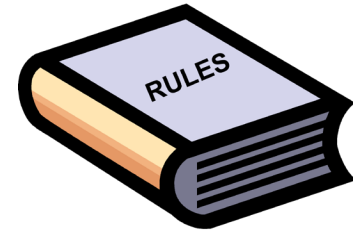
Municipal Law for Clerks

Chapter 10

Hunting and Fishing Licenses



Resources



- Inland Fisheries & Wildlife staff
- Municipal Clerk's Manual, revised in 2013 (MMA)
- MOSES manual
- IFW License Manual
- Clerk mentors



Inland Fisheries & Wildlife

- The Commissioner of Inland Fisheries & Wildlife (IFW) oversees the implementation of the state's hunting and fishing license laws and the laws relating to the registration of recreational vehicles (RVs).
- The Commissioner may appoint municipal clerks or other municipal officials to act as agents for the issuance of hunting & fishing licenses and RV registrations.



Designation as Agent



- The Commissioner may appoint clerks or others as agents as is considered necessary to issue licenses, permits and registrations.
- As an agent, direction is received from IFW through rules and state laws.
- Agents are responsible to receive payments for licenses and registrations and report money collected.



Types of Agents

- Maine Online Sportman's Electronic System (MOSES) is a web-based, point of sale system that allows for the sale and tracking of licenses, permits and registrations. Agents who use the online system are classified as MOSES agents.
- Manual agents may issue licenses and registrations using preprinted paper forms.



Agent Forms

HUNTING & FISHING LICENSE/REGISTRATION AGENT NOMINATION FORM

AGENT ID _____

The municipal officers of _____ nominates the individual listed below to act as the agent for the issuance of hunting, fishing licenses and or registrations for the Department of Inland Fisheries and Wildlife.

NAME: _____

ORGANIZATION'S MAILING ADDRESS: _____

E-MAIL ADDRESS: _____

TELEPHONE: _____ OFFICE HOURS: _____

The Person serves in the following capacity to our city/town:

() Town Clerk () Tax Collector () Other _____

Nominee's Signature: _____

Municipal Officers Signature: _____ Date: _____

Municipal Office Name & Title (Print) _____

Return Form to:

License Agent Supervisor
Inland Fisheries and Wildlife
41 Statehouse Station
284 State Street
Augusta, Maine 04333-0041

Fax Form to:

207-287-8094
MOSES Agents Attn: Chet
Manual Agents Attn: Julia

TRANSFER OF LICENSE/REGISTRATION AGENCY FINAL SUMMARY FORM

When a Town Clerk resigns/leaves office, or a new clerk is appointed, the clerk leaving office should make a list of all licenses/stickers/plates by number that are being turned over to the new clerk and have the new clerk sign the list and return it to the department of Inland Fisheries and Wildlife. This form is for that purpose. If you have questions, call 1-800-321-0184. Please note that this is not a public number. The clerk leaving office is to make a final report of sold licenses/registrations to the Department of Inland Fisheries and Wildlife.

Agent Number _____ Date of Transfer _____

Former Town Clerk/Agent:	New Town Clerk Agent:
Town Clerk of _____	Telephone Number _____
Mailing Address _____ <small>Street/P.O. Box, etc.</small>	Mailing Address _____ <small>Street/P.O. Box, etc.</small>
City / Town _____ State _____ Zip _____	City / Town _____ State _____ Zip _____
Physical Address _____ <small>Street/ Road, etc.</small>	Physical Address _____ <small>Street/ Road, etc.</small>
City / Town _____ State _____ Zip _____	City / Town _____ State _____ Zip _____
Signature of Above _____	Email address _____
	Signature of Above _____

Please fill out appropriate sections with the Numbers that are being turned over; (if more room is needed continue on back.)

Manual Check Off Licenses (114)(39) _____

Lake and River protection stickers (1783 - 40) _____

Boat Permanent Stickers (1480 - 22) _____

Boat Temp. Stickers (14 90 -24) _____

ATV Stickers (1580 -131) _____

ATV Plates (7) _____

Snow Stickers (1575 - 71) _____

All other supplies: law books, renewal pre-printed forms, registrations, licenses, printouts, and manuals should also be turned over to the new agent.

Return Form to:

License Agent Supervisor
Inland Fisheries and Wildlife
41 Statehouse Station
284 State Street
Augusta, ME. 04333

Fax Form to:

207-287-8094
MOSES Agents Attn: Chet
Manual Agents Attn: Julia



Resident Defined for Hunting & Fishing Purposes

- IFW agents possess the authority to process licenses for residents, non-residents and aliens.
- In order to obtain a resident hunting or fishing license, a person must meet residency requirements specified in 12 MRSA Sec. 10001(53).



Residency Defined



- For this purpose, residency is defined as “a citizen of the US or an alien who has been domiciled in this State for one year who:
 - If registered to vote, is registered in this state
 - If licensed to drive a motor vehicle, made application for a motor vehicle operator’s license issued by this state
 - If owning a motor vehicle located within the state, registered each such vehicle in the state, AND
 - Is in compliance with the state income tax laws.



Ineligible for Hunting & Fishing Licenses



- Underage persons – persons under 10 are not eligible to obtain a hunting license
- Criminal Convictions-convicted felons who are prohibited from possessing a firearm permit are not eligible to obtain any license or permit issued by IFW.
- Mental Illness-persons who are mentally ill, or have a mental deficiency or mental illness are ineligible to obtain a hunting license.
- IFW Revocations – IFW maintains and distributes a list of person whose licenses are under revocation or suspension.
- Burglary or Criminal Trespass-persons convicted of these crimes to a building located in the unorganized territories are ineligible for a license.
- Theft of Equipment – persons convicted of theft of equipment used for hunting, fishing or trapping.
- Theft of an Animal – persons convicted of theft of an animal trapped by another.



Fee Schedule



- The current fees can be found in the IFW Agent Manual, or on the IFW website at www.maine.gov/ifw/
- An agent can charge an agent fee to issue hunting and fishing licenses or permits up to a maximum of \$6 for a single transaction, which is a single event where one or more licenses are issued to a person in that person's name.
- The agent fee for RVs are \$1 for a renewal and \$2 for a new registration.



Sample manual license

2017 MAINE Department of Inland Fisheries and Wildlife
License/Permit Year 1-1-2017 to 12-31-2017
(Duplicate License Only)
Original 2017 License#

LICENSE NUMBER _____

Name _____

Mailing Address _____

City/Town _____ State _____ Zip _____

Legal Residence City/Town _____ State _____

D.O.B. _____ / _____ / _____ Hair _____ Eyes _____

Sex _____ Height _____ ft. _____ in. Weight _____ lbs.

License Type	Resident	Non Resident	Alien	Agent Fee
Outdoor Partners	<input type="checkbox"/> 1887 \$15	<input type="checkbox"/> 1887 \$15	<input type="checkbox"/> 1887 \$15	---
Deer Habitat Fund	<input type="checkbox"/> 1883 \$10	<input type="checkbox"/> 1883 \$10	<input type="checkbox"/> 1883 \$10	---
Deer Predation Fund	<input type="checkbox"/> 1875 \$10	<input type="checkbox"/> 1875 \$10	<input type="checkbox"/> 1875 \$10	---
Fish	<input type="checkbox"/> 1753 \$25	<input type="checkbox"/> 1766 \$64	<input type="checkbox"/> 1721 \$84	\$2
Hunt/Fish Combo	<input type="checkbox"/> 1751 \$43	<input type="checkbox"/> 1772 \$150	<input type="checkbox"/> 1720 \$191	\$2
Hunt	<input type="checkbox"/> 1752 \$26	<input type="checkbox"/> 1757 \$115	<input type="checkbox"/> 1759 \$140	\$2
Archery/Fish Combo	<input type="checkbox"/> 1744 \$43			\$2
Archery	<input type="checkbox"/> 1754 \$26	<input type="checkbox"/> 1758 \$75	<input type="checkbox"/> 1723 \$85	\$1
Crossbow	<input type="checkbox"/> 1692 \$26	<input type="checkbox"/> 1693 \$56	<input type="checkbox"/> 1694 \$80	\$1
Junior Hunt	<input type="checkbox"/> 1750 \$8	<input type="checkbox"/> 1755 \$35	<input type="checkbox"/> 1755 \$35	\$2
Small Game	<input type="checkbox"/> 1749 \$15	<input type="checkbox"/> 1708 \$75	<input type="checkbox"/> 1722 \$80	\$2
3 Day Small Game		<input type="checkbox"/> 1748 \$50	<input type="checkbox"/> 1748 \$50	\$2
Muzzleloading	<input type="checkbox"/> 1786 \$13	<input type="checkbox"/> 1787 \$69	<input type="checkbox"/> 1788 \$79	\$1
Migratory Waterfowl	<input type="checkbox"/> 1713 \$7.25	<input type="checkbox"/> 1713 \$7.25	<input type="checkbox"/> 1713 \$7.25	\$2.25
Pheasant	<input type="checkbox"/> 1704 \$17	<input type="checkbox"/> 1704 \$17	<input type="checkbox"/> 1704 \$17	\$1
Spring/Fall Turkey	<input type="checkbox"/> 1852 \$20	<input type="checkbox"/> 1852 \$20	<input type="checkbox"/> 1852 \$20	\$2
Bear Permit	<input type="checkbox"/> 1796 \$27	<input type="checkbox"/> 1797 \$74	<input type="checkbox"/> 1797 \$74	\$2
Coyote Night Hunt	<input type="checkbox"/> 1782 \$4	<input type="checkbox"/> 1782 \$4	<input type="checkbox"/> 1782 \$4	\$2
Salt Water Registry	<input type="checkbox"/> 1871 No Fee	<input type="checkbox"/> 1871 No Fee	<input type="checkbox"/> 1871 No Fee	
1 Day Fish	<input type="checkbox"/> 1762 \$11	<input type="checkbox"/> 1762 \$11	<input type="checkbox"/> 1762 \$11	\$2
3 Day Fish	<input type="checkbox"/> 1769 \$23	<input type="checkbox"/> 1769 \$23	<input type="checkbox"/> 1769 \$23	\$2
7 Day Fish		<input type="checkbox"/> 1765 \$43	<input type="checkbox"/> 1765 \$43	\$2
15 Day Fish		<input type="checkbox"/> 1767 \$47	<input type="checkbox"/> 1767 \$47	\$2
Military Hunt/Fish	<input type="checkbox"/> 1790 \$3			\$2
Military Depend Hunt/Fish	<input type="checkbox"/> 1710 \$20			\$2
Military Depend Hunt	<input type="checkbox"/> 1730 \$10			\$2
Military Depend Fish	<input type="checkbox"/> 1729 \$10			\$2
Exp Archery Either Sex	<input type="checkbox"/> 1479 \$32	<input type="checkbox"/> 1479 \$32	<input type="checkbox"/> 1479 \$32	\$2
Exp Archery Antlerless	<input type="checkbox"/> 1478 \$12	<input type="checkbox"/> 1478 \$12	<input type="checkbox"/> 1478 \$12	\$2
Superpack	<input type="checkbox"/> 1699 \$201			\$2
Apprentice Hunt	<input type="checkbox"/> 1840 \$26	<input type="checkbox"/> 1841 \$115		\$2
Apprentice Crossbow	<input type="checkbox"/> 1845 \$26	<input type="checkbox"/> 1846 \$56		\$2
Apprentice Archery	<input type="checkbox"/> 1843 \$26	<input type="checkbox"/> 1844 \$75		\$2
Apprentice Small Game		<input type="checkbox"/> 1842 \$75		\$2
November Bear Permit		<input type="checkbox"/> 1847 \$40		\$2
Snowmobile Trail Fund	<input type="checkbox"/> 1943 \$25	<input type="checkbox"/> 1943 \$25	<input type="checkbox"/> 1943 \$25	\$2
Sub-total				
Agent Fee (Maximum \$8.00)				
TOTAL				
Total Authorities Sold		<input type="checkbox"/> Duplicate 1801		\$2

MIGRATORY BIRD PROGRAM PARTICIPANT IN 2017? ☐ Yes ☐ No
Did you fish in tidal waters of the State of Maine last year? ☐ Yes ☐ No
If yes, phone number is required. Phone Number _____

Agent # _____ Issuer's initials _____
Issue Date _____ / _____ / _____ Issue Time _____ am pm
Date _____ / _____ / _____ Start Time _____ am pm

By buying and/or possessing this license, I verify that I have read the license holder statement and I am in compliance.

TRANSPORTATION TAG Species _____ License # _____
Name _____
Address _____

THIS SECTION MAY BE REMOVED
www.mefishwildlife.com

Physical address if different from mailing address.
Street/Road _____
City/Town _____ State _____
Telephone # _____ ☐ Nonresident Serviceman
Driver's License # _____ State _____

Migratory Bird Program Participant
If you wish to hunt migratory birds, you must be a participant in the Migratory Bird Program (check box on license). If you are a Migratory Bird Program Participant, how many of each of the following types of birds did you kill last year (2016)?

	Did not hunt last year.	0	1-10	11-30	30+
Ducks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sea Ducks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Geese/Brant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Woodcock	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rails/Gallinules	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Coot/Snipe	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Customer refused to answer survey questions

Hunting/Archery/Crossbow Eligibility
☐ Previous Hunt/Archery/Crossbow License
☐ Hunt/Archery/Crossbow Safety Card
☐ Affidavit
License # or Safety Card # _____ State Issued In _____
License # or Safety Card # _____ State Issued In _____

No Agent fee for Salt Water Registry if any other item purchased.

**** ATTENTION AGENTS ****
Anytime you process an exchange or a lifetime license type check one or more of the boxes below. You must also check the authorities covered by the license on the customer license on the left, crossing out the fee and writing the new fee in the license type column. Be sure to use the new fees when totaling the customer cost.

License Type	Resident	Non Resident	Agent Fee
1 Day Exch Res Combo	<input type="checkbox"/> 1705 \$32		\$2
3 Day Exch Res Combo	<input type="checkbox"/> 1706 \$20		\$2
1 Day Exch Res Fish	<input type="checkbox"/> 1763 \$14		\$2
3 Day Exch Res Fish	<input type="checkbox"/> 1800 \$2		\$2
15 Day Exch Fish		<input type="checkbox"/> 1768 \$17	\$2
Over 70 Lifetime	<input type="checkbox"/> 1901 \$8 (be sure to circle authorities on left)		

LICENSE HOLDER STATEMENT
I swear/affirm that:
A. If buying and/or possessing a firearms hunting license, either I am not a convicted felon or I am a convicted felon with a permit to carry a firearm, or I am not otherwise prohibited by law to possess a firearm.
B. If buying and/or possessing a resident license
1. I am a U.S. citizen domiciled in Maine or a resident alien domiciled in Maine during the last year and:
a) I have complied with Maine income tax laws;
b) If registered to vote I am registered in Maine;
c) If licensed to drive I have applied for a Maine drivers license; and
d) If motor vehicles owned by me and located in Maine, they are registered in Maine; or
2. I am a member of the U.S. Armed Forces permanently stationed in Maine, or a spouse or dependent child of such a person.
C. If buying and/or possessing an apprentice license, I have not held more than four previously and I understand that I must hunt in the presence of a supervisor who meets all the requirements of a supervisor under the apprentice hunter law.
D. If buying and/or possessing a firearms, archery, crossbow, or other license or permit with safety course requirements, I certify that I have met all these requirements.

Agent Copy

Reporting Requirements

- IFW has established regulations regarding reporting that is required by agents, which can be found in state rules.
- The requirements for reporting differ between MOSES and manual agents.



Sample Reports

IF & W AGENT STATE REPORT

Agency Name _____		Town _____	Phone # _____
Inland Fisheries & Wildlife 41 State House Station Augusta, Me 04333-0041			
License Number _____	Last day of report period _____		
License Voids Returned (show License #'s) <small>(Be sure green customer copy also attached)</small>		Reg. Voids Returned (show sticker type and #)	
Registration Sales			
Quantity		Total Fee	
Boats with Milfoil stickers			
Boats through 10 HSP @ 25.00 w/milfoil			
Boats 11-50 HSP @ 30.00 w/milfoil			
Boats 51-115 HSP @ 36.00 w/milfoil			
Boats 116 HSP and up @ 44.00 w/milfoil			
PWC's @ 44.00 w/milfoil			
Boats without Milfoil stickers			
Boats through 10 HSP @ 15.00 no milfoil			
Boats 11-50 HSP @ 20.00 no milfoil			
Boats 51-115 HSP @ 26.00 no milfoil			
Boats 116 HSP and up @ 34.00 no milfoil			
PWC's @ 34.00 no milfoil			
Milfoil sticker upgrade @ 10.00			
Res Duplicate Reg. @ 1.00			
Snow Dup Reg & Stickers @ 2.00			
Snow Transfer @ 4.00			
NonRes Snow Season @ 99.00			
Res Snow (new or renewal) @ 45.00			
Duplicate Snow Reg. @ 1.00			
Duplicate Snow Reg & Stickers @ 2.00			
Res. Snow Transfer @ 4.00			
NonRes Snow 3-day @ 49.00			
NonRes Snow 10-day @ 75.00			
NonRes Snow Season @ 99.00			
(Do not do 4.00 transfers on non-residents Send them to an electronic agent or our Augusta office)			
ATV Registration (new or renewal) @ 33.00			
NonRes ATV 7 Day Registration @ 53.00			
NonRes ATV Registration @ 68.00			
ATV Duplicate Reg. @ 1.00			
ATV Dup Reg and Stickers @ 2.00			
ATV Transfer @ \$4.00			
Non Resident Milfoil Stickers @ 19.00			
Total Payment Submitted			
Sub Total Registration Sales			
Sales Tax Submitted			
Total License Sales			
Debit/Credit from previous report			
Total Payment Due			

SAMPLE

NO SALES REPORT

STRICT _____ DATE SUBMITTED _____

AGENT ID# _____ AGENT NAME _____

BUSINESS NAME _____

☐ This agency had no sales for the reporting period of _____
MONTH DAY YEAR

☐ This agency has no licenses/registrations in its possession and will be closed for the following report periods.

[illegible]

RETURN TO:
LICENSING/RV SALES REPORT
INLAND FISHERIES & WILDLIFE
41 STATE HOUSE STA., 284 STATE STREET
AUGUSTA, ME 04333-0041



Delinquent Agents



- If an agent fails to forward to IFW funds collected by that agent within the required timeline, they are considered delinquent, which may result in sanctions of a surcharge when more than 60 days late or termination of agent status for more than 150 days OR more than 3 delinquencies in a year.
- A person who violates this rule commits a civil violation for which a fine of between \$100 and \$500 may be adjudged, and 3 or more civil violations within a 5 year period is a Class E crime.



Disbursement of Funds

- If a clerk finds that the state requires transfer of fees collected more frequently than the municipal officers' warrant process allows, an ordinance to provide for disbursement to state agencies could be considered.



Transfer of Agency

- The agency license may be transferred when a new clerk is elected or appointed, or if the municipal officers wish to transfer from the clerk to another official by completing an "Agent Nomination" form and submitting it to IFW.
- The new agent will be required to sign the "License Agent Agreement, which outlines the responsibilities.



Sales, Use and Excise Taxes

- Agents of the Commissioner act on behalf of the State Tax Assessor and collect sales and use taxes due under Title 36, Chapters 211 to 225.



Registration of Watercraft



- No registration may be granted for any watercraft that is subject to sales or use tax, except in the case of a renewal or registration by the same owner, unless
 - The applicant has submitted a dealer's certificate showing either that the sales tax has been collected by the dealer or the craft is exempt from tax
 - The applicant has executed and signed a use tax certificate and paid the amount due
 - The applicant has properly executed and signed a use tax certificate showing that the sale or use of the craft is exempt or not subject to tax



Registration of Snowmobile or ATV



- Prior to registering a snowmobile or ATV, an agent shall collect sales or use tax, unless:
 - The person registering the snowmobile or ATV is not a resident of Maine
 - The registration is a renewal by the same owner
 - The applicant possesses a dealer's certificate showing that the dealer collected the sales tax, OR
 - The snowmobile or ATV is otherwise exempt from sales or use tax



Excise Tax

- Watercraft excise taxes are imposed under 36 MRSA sec. 1504 and are collected at the time the watercraft is registered.
- The municipal tax collector is required to issue an excise tax decal upon payment of the tax.



Test your knowledge

- Types of licensing agents
- Residency definitions for licensing purposes
- Who is ineligible to obtain a hunting & fishing license
- Reporting requirements
- Registration of a watercraft, snowmobile or ATV



Thank You



- You have reached the end of Module 10 of Municipal Law for Clerks.
- For specific questions on this topic, please contact the staff at Inland Fisheries & Wildlife, MMA legal, or a clerk mentor.
- Please print this final page as proof of completion of this module.
- You may submit this final page to MMA along with the other ten modules' completion pages to obtain a certificate to be used for certification points.

