

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON INLAND FISHERIES
AND WILDLIFE**

August 2017

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STATE OF MAINE

128TH LEGISLATURE
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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 128th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

CARRIED OVER..... carried over to a subsequent session of the Legislature
CON RES XXX..... chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE..... emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT..... legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY..... ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 128th Legislature is Wednesday, November 1, 2017. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Inland Fisheries and Wildlife

sunset.

Committee Amendment "A" (H-322)

This amendment repeals provisions of law that allow hunting with firearms using the .22 caliber rimfire cartridge or any autoloading pistol having a barrel less than eight inches in length when the firearm is an automatic firearm or the cartridges contain tracer bullets or explosive bullets. The amendment removes provisions of the bill affecting turkey bag limits and time limits on certain turkey hunting methods. The amendment allows a landowner to remove an ice shack placed on the landowner's property without permission immediately, rather than requiring the landowner to wait 15 days for the ice shack to be considered abandoned, which current law requires. The amendment provides that any person, rather than residents only, may register a snowmobile that is more than 25 years old as an antique snowmobile.

Enacted Law Summary

Public Law 2017, chapter 164 replaces the Hooked on Fishing Not on Drugs program with youth and family outdoor recreational programs and activities to encourage hunting and fishing activities as well as shooting sports. It amends language regarding certain licenses to provide that certain permits are included in the licenses. It allows the spouse and children of a member of the Armed Forces of the United States on active duty who is permanently stationed outside of the State to purchase trapping licenses at a reduced rate. It simplifies language regarding a person 70 years of age or older hunting with a crossbow. It repeals a provision allowing a person under 16 years of age holding a valid junior hunting license to obtain a muzzle-loading permit from the Commissioner of Inland Fisheries and Wildlife. It adds a wild turkey hunting permit to the nonresident small game apprenticeship hunter license. It repeals law establishing a youth bear hunting day. It adds firearms using a caliber cartridge smaller than the .22 caliber cartridge to the exceptions from the law prohibiting hunting with any automatic firearm and repeals provisions of law that allow hunting with firearms using the .22 caliber rimfire cartridge or any autoloading pistol having a barrel less than eight inches in length when the firearm is an automatic firearm or the cartridges contain tracer bullets or explosive bullets. It amends the provision of a residents-only day in the law regarding open and closed seasons for deer to account for an exception for certain nonresident landowners. It repeals a provision making nonresident aliens ineligible to purchase a trapping license, as they are eligible to purchase a license to trap beaver when their state or province of residency allows residents of the State to trap beaver in that state or province and removes language requiring clerks or agents appointed by the Commissioner of Inland Fisheries and Wildlife to charge \$2 for each trapping license issued. It raises the fee for a resident and nonresident apprentice trapper license by \$1, consistent with changes to fees in Public Law 2015, chapter 245. It makes it a Class E crime for a licensee to receive, possess for resale, sell or offer to sell gift baitfish or gift smelts. It amends the law describing how the Open Water and Ice Fishing Regulations are distributed. It updates the name of an endangered species of bird. It changes the expiration date of a taxidermy license so that licenses expire three years from their date of issuance. It corrects a cross-reference. It allows ATVs, including two-wheel off-road motorcycles, without headlights or taillights to be operated between sunrise and sunset. It provides that any person, rather than residents only, may register a snowmobile that is more than 25 years old as an antique snowmobile. It allows a landowner to remove an ice shack placed on the landowner's property without permission immediately, rather than requiring the landowner to wait 15 days for the ice shack to be considered abandoned.

LD 1580

An Act To Clarify and Enhance Maine's Wildlife Laws

PUBLIC 205

Sponsor(s)

WOOD S

Committee Report

OTP-AM

Amendments Adopted

H-425

This bill:

1. Moves the planning functions of the Department of Inland Fisheries and Wildlife from the Division of Planning, which no longer exists, to the Bureau of Resource Management;

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2. Allows a person to capture and possess reptiles, amphibians and invertebrates native to this State and not listed by the department as threatened, endangered or of special concern without a permit, within certain possession limits;
3. Clarifies the purpose for each type of captive wildlife permit issued by the department and the issuance of three-day hold game bird propagation permits and one-year game bird propagation permits and establishes fees for those permits;
4. Clarifies that the provision of law regarding release of wildlife into the wild applies to birds, mammals, reptiles, amphibians and invertebrates;
5. Eliminates the requirement to band imported pheasants; and
6. Gives the Commissioner of Inland Fisheries and Wildlife the authority to open a town or a designated geographical area to the taking of antlerless deer within a wildlife management district that does not allow the taking of antlerless deer.

Committee Amendment "A" (H-425)

This amendment provides that the Commissioner of Inland Fisheries and Wildlife may adopt rules that classify wildlife into categories for the purpose of determining necessary permits and applicable fees for permits to keep wildlife in captivity. The amendment establishes new permits and fees for wildlife in captivity depending upon the type of wildlife kept and the purposes for which it is kept. The amendment repeals the requirement that a person hold an importation permit for pheasants. This amendment establishes fees for commercial amphibian permits and commercial nonmarine invertebrate permits of \$27 each and provides that those permits expire one year from the date of issuance.

Enacted Law Summary

Public Law 2017, chapter 205:

1. Moves the planning functions of the Department of Inland Fisheries and Wildlife from the Division of Planning, which no longer exists, to the Bureau of Resource Management;
2. Gives the Commissioner of Inland Fisheries and Wildlife the authority to open a designated geographical area to the taking of antlerless deer within a wildlife management district that does not allow the taking of antlerless deer;
3. Provides that the commissioner may adopt rules that classify wildlife into categories for the purpose of determining necessary permits and applicable fees for permits to keep wildlife in captivity;
4. Establishes new permits and fees for wildlife in captivity depending upon the type of wildlife kept and the purposes for which it is kept;
5. Repeals the requirement that a person hold an importation permit for pheasants; and
6. Establishes fees for commercial amphibian permits and commercial nonmarine invertebrate permits of \$27 each and provides that those permits expire one year from the date of issuance.