

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

LD 1582 An Act To Clarify and Enhance Maine's Fish and Wildlife Enforcement Laws ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CYRWAY S	ONTP	

This bill makes several changes to the State's fish and wildlife enforcement laws. The bill:

1. Makes it legal for a person to use wireless, digital imaging technology as a means to comply with a trap tending requirement;
2. Makes it clear that hunting with thermal imaging equipment is illegal;
3. Creates a \$20 penalty for each quart over the two-quart limit on smelts;
4. Amends terminology in the law governing apprentice hunter license restrictions;
5. Makes it illegal to fraudulently obtain registrations in addition to licenses and permits that are provided by the department;
6. Makes failing to stop for a law enforcement officer while operating a snowmobile or watercraft a Class D crime consistent with the provision applying to all-terrain vehicles;
7. Makes the airbow a legal hunting implement when used within certain parameters. It defines "airbow," "crossbow" and "hand-held bow";
8. Specifies that, in addition to a firearm, a person convicted of a domestic violence offense may not own, possess or have under that person's control a crossbow or muzzleloader or archery equipment;
9. Requires all edible meat from bear, deer or moose to be presented for registration along with evidence of gender. It allows these animals to be dismembered for ease of transportation;
10. Strengthens language within the prohibition of abuse of another person's property by removing reference to certain stated activities such as hunting, fishing or trapping to allow the Department of Inland Fisheries and Wildlife to enforce the law against persons who abuse another person's property but who may not be involved in an activity such as hunting, fishing or trapping;
11. Sets August 1st as the beginning date for bear baiting season; and
12. It replaces the requirement that a boat operator have a license from the department to carry passengers for hire with a requirement that the operator successfully complete a boating safety course provided by a national association of boating law administrators approved by the commissioner.

LD 1626 Resolve, Authorizing the Department of Inland Fisheries and Wildlife To Assume Ownership of the Forest City Project RESOLVE 23

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TURNER B JACKSON T	OTP-AM OTP-AM	H-524

Joint Standing Committee on Inland Fisheries and Wildlife

This resolve authorizes the Department of Administrative and Financial Services, Bureau of General Services to assume ownership of the dam and water storage project known as the Forest City Project and requires the Department of Inland Fisheries and Wildlife to oversee the management of the Forest City Project.

Committee Amendment "A" (H-524)

This amendment, the majority report of the committee, provides that the Department of Inland Fisheries and Wildlife, rather than the Department of Administrative and Financial Services as provided in the resolve, may assume ownership of the dam and water storage project known as the Forest City Project, together with associated flowage rights, from Woodland Pulp LLC if certain contingencies are met. The contingencies that must be satisfied before the department is authorized to assume ownership of the Forest City Project are that the Federal Energy Regulatory Commission must determine that, once ownership is transferred, the State will not be subject to a licensing requirement by that commission and that the State must enter into an agreement with Woodland Pulp LLC that provides that Woodland Pulp LLC and its successors will maintain and operate the Forest City Project, at the direction of the State and with certain limited exceptions, for a period of 15 years from the date of the transfer at no cost to the State. The amendment also removes the emergency preamble and emergency clause.

Committee Amendment "B" (H-525)

This amendment, the minority report of the committee, provides that the Department of Inland Fisheries and Wildlife, rather than the Department of Administrative and Financial Services as provided in the resolve, may assume ownership of the dam and water storage project known as the Forest City Project, together with associated flowage rights, from Woodland Pulp LLC if certain contingencies are met. The contingencies that must be satisfied before the department is authorized to assume ownership of the Forest City Project are that the Federal Energy Regulatory Commission must determine that, once ownership is transferred, the State will not be subject to a licensing requirement by that commission and that the State must enter into an agreement with Woodland Pulp LLC that provides that Woodland Pulp LLC and its successors will maintain and operate the Forest City Project, at the direction of the State and with certain limited exceptions, for a period of 30 years from the date of the transfer at no cost to the State. The amendment also removes the emergency preamble and emergency clause.

This amendment was not adopted.

Enacted Law Summary

Resolve 2017, chapter 23, provides that the Department of Inland Fisheries and Wildlife may assume ownership of the dam and water storage project known as the Forest City Project, together with associated flowage rights, from Woodland Pulp LLC if certain contingencies are met. The contingencies that must be satisfied before the department is authorized to assume ownership of the Forest City Project are that the Federal Energy Regulatory Commission must determine that, once ownership is transferred, the State will not be subject to a licensing requirement by that commission and that the State must enter into an agreement with Woodland Pulp LLC that provides that Woodland Pulp LLC and its successors will maintain and operate the Forest City Project, at the direction of the State and with certain limited exceptions, for a period of 15 years from the date of the transfer at no cost to the State.