

# MAINE STATE LEGISLATURE

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Date: 6/13/13

L.D. 1435  
(Filing No. H-500)

**INLAND FISHERIES AND WILDLIFE**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
126TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1024, L.D. 1435, Bill, "An Act To Amend Certain Provisions of the Fish and Wildlife Laws"

Amend the bill by inserting after the enacting clause and before section 1 the following:

'Sec. 1. 12 MRSA §10001, sub-§14, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is repealed.'

Amend the bill by inserting after section 2 the following:

'Sec. 3. 12 MRSA §10108, sub-§§2 and 5, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, are amended to read:

**2. Promotion of hunting, fishing and camping.** The commissioner may implement a program designed to promote fisheries and wildlife resources and attract hunters and anglers to the State. As part of this program, the commissioner may reduce the price of certain types of licenses for specified periods of time to promote license sales for hunting and fishing in the State. The commissioner may offer complimentary licenses as part of a department program or for promotional purposes. Any loss of revenue due to the issuance of complimentary licenses under this subsection may be offset by revenues from other department programs and funds dedicated to the Division of Public Information and Education. The commissioner may implement a program that expends funds for the purpose of recognizing individuals who contribute, either through volunteer efforts or some other form of contribution, to the mission of the department. This program These programs may include coordination of activities between the public and private sectors and utilization of promotional missions, exhibits, brochures, technical assistance and expertise as necessary to develop and promote hunting, fishing and camping activities within the State. The commissioner shall coordinate ~~this program~~ these programs with the activities of the Department of Economic and Community Development. Any purchases made as a result of that coordination must be by competitive bid.

**5. "Hooked on Fishing Not on Drugs" program.** The "Hooked on Fishing Not on Drugs" program is established in the department to encourage youth fishing activities in

**COMMITTEE AMENDMENT**

1 the State. The commissioner may accept money, goods or services donated to the  
2 department for the "Hooked on Fishing Not on Drugs" program. Money, goods and  
3 services accepted by the commissioner under this subsection may be used only for ~~these~~  
4 program activities, including providing gifts to program participants, and to promote and  
5 market the program. Gifts may include but are not limited to complimentary fishing  
6 licenses, fishing tackle and fishing equipment.

7 **Sec. 4. 12 MRSA §10108, sub-§10**, as enacted by PL 2003, c. 655, Pt. B, §30  
8 and affected by §422, is amended to read:

9 **10. Becoming an Outdoors Woman.** The Becoming an Outdoors Woman program  
10 is established in the department to encourage women to participate in hunting, fishing and  
11 other outdoor activities within the State. The commissioner may sponsor Becoming an  
12 Outdoors Woman events, establish appropriate fees for participation and accept money,  
13 goods and services donated to the department for the Becoming an Outdoors Woman  
14 program. Money, goods and services accepted by the commissioner under this subsection  
15 may be used only for program activities, including activities designed to enhance the  
16 program such as giving gifts to program participants, or to assist in promoting and  
17 marketing the program.'

18 Amend the bill by striking out all of sections 6 and 7 and inserting the following:

19 **'Sec. 6. 12 MRSA §11105, sub-§1**, as amended by PL 2013, c. 139, §1, is further  
20 amended to read:

21 **1. Hunter safety course requirements.** Except as provided in subsection 2, a  
22 person who applies for a Maine license to hunt with firearms other than a juvenile license  
23 must submit proof of having successfully completed a hunter safety course as provided in  
24 section 10108 or an equivalent hunter safety course or satisfactory evidence of having  
25 previously held ~~an~~ a valid adult license to hunt with firearms in this State or any other  
26 state, province or country in any year beginning with 1976.

27 When proof of competency can not otherwise be provided, the applicant may substitute a  
28 signed affidavit that the applicant has previously held the required adult hunting license  
29 or that the applicant has successfully completed the required hunter safety course.

30 **Sec. 7. 12 MRSA §11106, sub-§2**, as amended by PL 2013, c. 139, §2, is further  
31 amended to read:

32 **2. Archery hunter education requirements.** Except as provided in subsection 3, a  
33 person who applies for an archery hunting license other than a junior hunting license or  
34 an apprenticeship hunter license must submit proof of having successfully completed an  
35 archery hunter education course as described in section 10108 or an equivalent archery  
36 hunter education course or satisfactory evidence of having previously held ~~an~~ a valid  
37 adult archery hunting license issued specifically for the purpose of hunting with bow and  
38 arrow in this State or any other state, province or country in any year after 1979.

39 When proof or evidence can not be otherwise provided, the applicant may substitute a  
40 signed affidavit that the applicant has previously held the required adult archery hunting  
41 license or has successfully completed the required archery hunter education course.'

42 Amend the bill by inserting after section 8 the following:

1       **'Sec. 9. 12 MRSA §11109, sub-§3, ¶F,** as amended by PL 2009, c. 213, Pt. OO,  
2       §2, is further amended to read:

3           F. A nonresident junior hunting license, for a person 10 years of age or older and  
4           under 16 years of age, is \$34. Notwithstanding the permit fees established in  
5           subchapter 3, a nonresident junior hunting license includes all permits, stamps and  
6           other permissions needed to hunt at no additional cost.

7       **Sec. 10. 12 MRSA §11152, sub-§7,** as amended by PL 2011, c. 533, §4, is  
8       further amended to read:

9           **7. Special antlerless deer permit.** The commissioner shall issue a special antlerless  
10          deer permit to an eligible person who ~~is suffering from the loss of or the permanent loss~~  
11          ~~of use of both lower extremities~~ has lost all or part of one or more lower limbs, not  
12          including a partial foot amputation. The commissioner shall issue a permit upon  
13          application and after the applicant verifies that person's ambulatory disability with a letter  
14          signed by a physician confirming the person's condition. A person who is issued a  
15          special antlerless deer permit under this subsection may take an antlerless deer in any part  
16          of the State open to the taking of antlerless deer pursuant to subsection 3.'

17          Amend the bill by inserting after section 10 the following:

18       **'Sec. 11. 12 MRSA §11453, sub-§1,** as enacted by PL 2003, c. 414, Pt. A, §2 and  
19       affected by c. 614, §9, is amended to read:

20           **1. Unlawfully driving deer.** A person may not participate in a hunt for deer during  
21          which an organized or planned effort is made to drive deer ~~except that a group of 3 or~~  
22          ~~fewer persons may hunt together as long as they do not use noisemaking devices.~~ For  
23          purposes of this subsection, 4 or more persons working together to move deer constitutes  
24          an organized or planned effort to drive deer.'

25          Amend the bill by striking out all of section 13 and inserting the following:

26       **'Sec. 13. 12 MRSA §12501, sub-§5,** as enacted by PL 2003, c. 414, Pt. A, §2 and  
27       affected by c. 614, §9, is repealed.

28       **Sec. 14. 12 MRSA §12501, sub-§6, ¶D,** as amended by PL 2009, c. 213, Pt. OO,  
29       §11, is repealed.

30       **Sec. 15. 12 MRSA §12503, sub-§1,** as enacted by PL 2003, c. 414, Pt. A, §2 and  
31       affected by c. 614, §9, is amended to read:

32           **1. Persons under 16.** A resident person under 16 years of age ~~and a nonresident~~  
33          ~~under 12 years of age~~ may fish without a license.

34       **Sec. 16. 12 MRSA §12708, sub-§1, ¶B,** as amended by PL 2011, c. 253, §34, is  
35       further amended to read:

36           B. The following areas are classified as state-owned wildlife management areas, or  
37           "WMA's":

38           (1) Blanchard/AuClair WMA (Roach River Corridor) - T1 R14 WELS -  
39           Piscataquis County;

- 1 (2) Brownfield Major Gregory Sanborn WMA - Brownfield, Denmark, Fryeburg  
2 - Oxford County;
- 3 (3) George Bucknam WMA (Belgrade Stream) - Mt. Vernon - Kennebec  
4 County;
- 5 (4) Caesar Pond WMA - Bowdoin - Sagadahoc County;
- 6 (5) Chesterville WMA - Chesterville - Franklin County;
- 7 (6) Coast of Maine WMA - all state-owned coastal islands that are owned or  
8 managed by the Department of Inland Fisheries and Wildlife;
- 9 (7) Dickwood Lake WMA - Eagle Lake - Aroostook County;
- 10 (8) Francis D. Dunn WMA (Sawtelle Deadwater) - T6 R7 WELS - Penobscot  
11 County;
- 12 (9) Fahi Pond WMA - Embden - Somerset County;
- 13 (10) Lyle Frost WMA (formerly Scammon) - Eastbrook, Franklin - Hancock  
14 County;
- 15 (11) Alonzo H. Garcelon WMA (Mud Mill Flowage) - Augusta, Windsor,  
16 Vassalboro, China - Kennebec County;
- 17 (12) Great Works WMA - Edmunds Township - Washington County;
- 18 (13) Jamies Pond WMA - Manchester, Farmingdale, Hallowell - Kennebec  
19 County;
- 20 (14) Jonesboro WMA - Jonesboro - Washington County;
- 21 (15) Earle R. Kelley WMA (Dresden Bog) - Alna, Dresden - Lincoln County;
- 22 (16) Kennebunk Plains WMA - Kennebunk - York County;
- 23 (17) Bud Leavitt WMA (Bull Hill) - Atkinson, Charleston, Dover-Foxcroft,  
24 Garland - Penobscot County and Piscataquis County;
- 25 (18) Gene Letourneau WMA (Frye Mountain) - Montville, Knox, Morrill -  
26 Waldo County;
- 27 (19) Long Lake WMA - St. Agatha - Aroostook County (all of Long Lake within  
28 the Town of St. Agatha);
- 29 (20) Madawaska WMA - Palmyra - Somerset County;
- 30 (20-A) Maine Youth Conservation WMA - T32MD - Hancock County;
- 31 (21) Mainstream WMA - Cambridge, Ripley - Somerset County;
- 32 (22) Lt. Gordon Manuel WMA - Hodgdon, Cary Plantation, Linneus -  
33 Aroostook County;

- 1 (23) Maynard F. Marsh WMA (Killick Pond) - Hollis, Limington - York  
2 County;
- 3 (24) Mercer Bog WMA - Mercer - Somerset County;
- 4 (25) Merrymeeting Bay WMA - Dresden, Bowdoinham, Woolwich, Bath,  
5 Topsham - Lincoln County and Sagadahoc County;
- 6 (26) Morgan Meadow WMA - Raymond - Cumberland County;
- 7 (27) Mt. Agamenticus WMA - York, South Berwick - York County;
- 8 (28) Muddy River WMA - Topsham - Sagadahoc County;
- 9 (29) Narraguagus Junction WMA - Cherryfield - Washington County;
- 10 (30) Old Pond Farm WMA - Maxfield, Howland - Penobscot County;
- 11 (31) Orange River WMA - Whiting - Washington County;
- 12 (32) Peaks Island WMA - Portland - Cumberland County;
- 13 (33) Pennamaquam WMA - Pembroke, Charlotte - Washington County;
- 14 (34) Steve Powell WMA - Perkins Township - Sagadahoc County (being the  
15 islands in the Kennebec River near Richmond known as Swan Island and Little  
16 Swan Island, formerly known as Alexander Islands);
- 17 (35) David Priest WMA (Dwinal Pond) - Lee, Winn - Penobscot County;
- 18 (36) James Dorso Ruffingham Meadow WMA - Montville, Searsmont - Waldo  
19 County;
- 20 (37) St. Albans WMA - St. Albans - Somerset County;
- 21 (38) Sandy Point WMA - Stockton Springs - Waldo County;
- 22 (39) Scarborough WMA - Scarborough, Old Orchard Beach, Saco - Cumberland  
23 County and York County;
- 24 (40) Steep Falls WMA - Standish, Baldwin - Cumberland County;
- 25 (41) Tyler Pond WMA - Manchester, Augusta - Kennebec County;
- 26 (42) Vernon S. Walker WMA - Newfield, Shapleigh - York County;
- 27 (43) R. Waldo Tyler Weskeag Marsh WMA - South Thomaston, Thomaston,  
28 Rockland, Owl's Head, Friendship - Knox County;
- 29 (43-A) Kennebec River Estuary WMA - Arrowsic, Bath, Georgetown,  
30 Phippsburg, West Bath, Woolwich - Sagadahoc County;
- 31 (43-B) Tolla Wolla WMA - Livermore - Androscoggin County;
- 32 (43-C) Green Point WMA - Dresden - Lincoln County;

- 1 (43-D) Hurds Pond WMA - Swanville - Waldo County;  
2 (43-E) Sherman Lake WMA - Newcastle, Damariscotta - Lincoln County;  
3 (43-F) Ducktrap River WMA - Belmont, Lincolnville - Waldo County;  
4 (45) Stump Pond WMA - New Vineyard - Franklin County;  
5 (46) Bog Brook WMA - Beddington, Deblois - Washington County;  
6 (47) Cobscook Bay WMA - Lubec, Pembroke, Perry, Trescott Township -  
7 Washington County;  
8 (48) Mattawamkeag River System WMA - Drew Plantation, Kingman Township,  
9 Prentiss Township, Webster Township - Penobscot County;  
10 (49) Booming Ground WMA - Forest City - Washington County;  
11 (50) Butler Island WMA - Ashland - Aroostook County;  
12 (51) Pollard Flat WMA - Masardis - Aroostook County;  
13 (52) Caribou Bog WMA - Old Town, Orono - Penobscot County;  
14 (53) Delano WMA - Monson - Piscataquis County;  
15 (54) Egypt Bay WMA - Hancock - Hancock County;  
16 (55) Spring Brook WMA - Hancock - Hancock County;  
17 (56) Strong WMA - Strong - Franklin County;  
18 (57) Plymouth Bog WMA - Plymouth - Penobscot County; and  
19 (58) Such other areas as the commissioner designates, by rules adopted in  
20 accordance with section 12701, as state-owned wildlife management areas.

21 **Sec. 17. 12 MRSA §12952, sub-§2, ¶A**, as enacted by PL 2003, c. 414, Pt. A, §2  
22 and affected by c. 614, §9, is amended to read:

23 A. Possess, at the licensee's place of business, lawfully acquired fish or wildlife  
24 specimens for the sole purpose of preparing and mounting them, including skull  
25 mounts;

26 **Sec. 18. 12 MRSA §13056, sub-§2, ¶F**, as enacted by PL 2003, c. 414, Pt. A, §2  
27 and affected by c. 614, §9, is amended to read:

28 F. A motorboat from a country other than the United States, as long as the  
29 motorboat has not been within this State for a period in excess of 60 consecutive  
30 days; and

31 **Sec. 19. 12 MRSA §13056, sub-§2, ¶G**, as corrected by RR 2003, c. 1, §9 and  
32 affected by PL 2003, c. 614, §9 and PL 2005, c. 397, Pt. A, §§55 and 56, is amended to  
33 read:

1 G. A motorboat used exclusively for racing purposes that displays on its hull in a  
2 prominent manner a valid boat number issued by a recognized racing association;  
3 and

4 **Sec. 20. 12 MRSA §13056, sub-§2, ¶H** is enacted to read:

5 H. A motorboat participating in an event as permitted by section 13061.

6 **Sec. 21. 12 MRSA §13109, sub-§4**, as enacted by PL 2003, c. 414, Pt. A, §2 and  
7 affected by c. 614, §9, is amended to read:

8 **4. Temporary registrations and numbers.** The commissioner may issue temporary  
9 numbers and registrations for snowmobiles to bona fide dealers, who may, upon the sale  
10 or exchange of a snowmobile, issue them to new owners in order to allow them to operate  
11 snowmobiles for a period of 20 consecutive days after the day date of sale in lieu of a  
12 permanent number as required by this chapter. The fee for each temporary registration  
13 certificate is \$1.

14 Amend the bill by relettering or renumbering any nonconsecutive Part letter or  
15 section number to read consecutively.

#### 16 SUMMARY

17 This amendment strikes the provision of the bill regarding registration of antique  
18 motorboats. This amendment also:

19 1. Waives the boat registration requirement for motorboats participating in a  
20 permitted event;

21 2. Renames a wildlife management area after Major Gregory Sanborn;

22 3. Allows the Commissioner of Inland Fisheries and Wildlife to charge a \$1 fee for a  
23 temporary registration certificate for a snowmobile dealer;

24 4. Changes what constitutes driving deer;

25 5. Includes skull mounts as part of the list of activities that a taxidermist license  
26 holder may partake in;

27 6. Allows certain Department of Inland Fisheries and Wildlife programs to offer  
28 gifts;

29 7. Clarifies the law that allows for special antlerless deer permits to be issued to  
30 certain amputees;

31 8. Eliminates the fishing license requirement for all individuals under 16 years of  
32 age; and

33 9. Includes all nonresident junior hunting permits in a nonresident junior hunting  
34 license at no additional cost.

**FISCAL NOTE REQUIRED**  
**(See attached)**





# 126th MAINE LEGISLATURE

LD 1435

LR 477(02)

## An Act To Amend Certain Provisions of the Fish and Wildlife Laws

Fiscal Note for Bill as Amended by Committee Amendment 'A' (H-500)  
 Committee: Inland Fisheries and Wildlife

Fiscal Note Required: Yes

### Fiscal Note

	FY 2013-14	FY 2014-15	Projections FY 2015-16	Projections FY 2016-17
<b>Net Cost (Savings)</b>				
General Fund	\$48,750	\$65,000	\$65,000	\$65,000
<b>Revenue</b>				
General Fund	(\$48,750)	(\$65,000)	(\$65,000)	(\$65,000)

#### Correctional and Judicial Impact Statements

Decreases the number of civil violations, Class E and Class D crimes.  
 A reduction in fines will decrease General Fund revenue by minor amounts.

#### Fiscal Detail and Notes

This legislation eliminates the nonresident junior fishing license and would result in a loss of General Fund revenue of \$48,750 in fiscal year 2013-14 and \$65,000 in fiscal year 2014-15 and ongoing. Other provisions of this legislation may reduce General Fund revenues by minor amounts not requiring any change to the budget. Additional costs to the Department of Inland Fisheries and Wildlife associated with implementing the provisions of this legislation can be absorbed within existing budgeted resources.