

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
FIRST REGULAR SESSION



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

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

July 2013

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STATE OF MAINE

126TH 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 126th 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. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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 126th Legislature is October 9, 2013. 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 99 An Act To Allow Hunting for Deer with a Crossbow during the Expanded Archery Season

**ACCEPTED
MAJORITY
(ONTP) REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOOD TUTTLE	ONTP OTP-AM	

This bill allows a person to hunt with a crossbow during an expanded archery deer hunting season that is established by rule by the Department of Inland Fisheries and Wildlife.

Committee Amendment "A" (H-67)

This amendment, which is the minority report, incorporates a fiscal note.

LD 100 An Act To Allow Municipalities To Stock Ponds

**ACCEPTED
MINORITY
(ONTP) REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOOD MASON G	OTP-AM ONTP	

This bill authorizes a municipality to stock a pond with fish when the pond is located entirely within the municipality's boundaries, the municipality purchases the fish to be stocked from the Department of Inland Fisheries and Wildlife and the municipality provides the public with boat access to the pond being stocked by the municipality. It also requires the municipality to pay any costs incurred by the Department of Inland Fisheries and Wildlife associated with the municipality's stocking activity.

Committee Amendment "A" (H-214)

This amendment, which is the majority report, replaces the bill. It authorizes the Town of Greene to stock Allen Pond with fish as long as the municipality purchases the fish to be stocked from the Department of Inland Fisheries and Wildlife, the Department of Inland Fisheries and Wildlife approves the fish being stocked and the municipality provides the public with watercraft access to Allen Pond that is easily identifiable and accessible. It also requires the town to pay any costs incurred by the Department of Inland Fisheries and Wildlife associated with the stocking of Allen Pond.

LD 101 An Act To Allow a Junior Hunter To Take One Antlerless Deer without an Antlerless Deer Permit

PUBLIC 213

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GILBERT HASKELL	OTP-AM ONTP	H-263

This bill allows the holder of a valid junior hunting license to take one antlerless deer without an antlerless deer permit. In subsequent years, that person must obtain an antlerless deer permit to take an antlerless deer.

Committee Amendment "A" (H-263)

Joint Standing Committee on Inland Fisheries and Wildlife

This amendment, which is the majority report of the committee, provides priority consideration for antlerless deer permits to persons with a valid junior hunting license. Under current law, eligible landowners receive 25% of the permits and nonresident hunters receive 15% of the permits. Under this amendment, junior hunters receive at least 25% of the antlerless deer permits available in wildlife management districts with available antlerless deer permits.

Enacted Law Summary

Public Law 2013, chapter 213 provides priority consideration for antlerless deer permits to persons with a valid junior hunting license. Prior law provided that eligible landowners receive 25% of the permits and nonresident hunters receive 15% of the permits. Under Public Law 2013, chapter 213, junior hunters receive at least 25% of the antlerless deer permits available in wildlife management districts with available antlerless deer permits.

LD 128 An Act To Amend the Laws Governing the Inland Fisheries and Wildlife Advisory Council

PUBLIC 375

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HASKELL	OTP-AM OTP-AM	S-257

This bill abolishes the Inland Fisheries and Wildlife Advisory Council.

Committee Amendment "A" (S-256)

This amendment is the majority report of the committee. The bill abolishes the Inland Fisheries and Wildlife Advisory Council. This amendment instead amends the laws governing the Inland Fisheries and Wildlife Advisory Council in order to realign the advisory council's formal duties to convening stakeholder groups and providing information and advice to the Commissioner of Inland Fisheries and Wildlife to enhance fisheries and wildlife resource management in the State. With these revised duties, the advisory council no longer renders to the commissioner information and advice concerning the administration of the Department of Inland Fisheries and Wildlife. The amendment retains the bill's provision removing the advisory council's authority upon appeal to restore hunting license privileges to petitioners whose privileges have been revoked or suspended and the restoration of which the commissioner has disallowed. Further, where rulemaking is concerned, the advisory council no longer provides advice and consent to the commissioner, which is a change made in the bill and retained by the amendment, but the amendment adds that as part of its revised duties the advisory committee makes recommendations based on public and stakeholder input to the commissioner regarding rules. The amendment allows the commissioner's designee to be a member of the advisory council. Finally, this amendment requires that the advisory council provide and present annually a written summary of its activities and accomplishments to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters.

Committee Amendment "B" (S-257)

This amendment is the minority report of the committee. The bill abolishes the Inland Fisheries and Wildlife Advisory Council. This amendment instead amends the laws governing the Inland Fisheries and Wildlife Advisory Council in order to realign the advisory council's formal duties to convening stakeholder groups and providing information and advice to the Commissioner of Inland Fisheries and Wildlife to enhance fisheries and wildlife resource management in the State. With these revised duties, the advisory council no longer renders to the commissioner information and advice concerning the administration of the Department of Inland Fisheries and Wildlife. The amendment retains the bill's provision removing the advisory council's authority upon appeal to restore hunting license privileges to petitioners whose privileges have been revoked or suspended and the restoration of which the commissioner has disallowed. However, where rulemaking is concerned, this amendment preserves the advisory council's role of providing advice and consent to the commissioner. The amendment allows the commissioner's designee to be a member of the advisory council. Finally, this amendment requires that the advisory council provide and present annually a written summary of its activities and accomplishments to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters.