

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
FIRST REGULAR SESSION



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

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.

Joint Standing Committee on Inland Fisheries and Wildlife

Enacted Law Summary

Public Law 2013, chapter 375 amends the laws governing the Inland Fisheries and Wildlife Advisory Council in order to realign the advisory council's formal duties with its role of 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, under Public Law 2013, chapter 375 the advisory council no longer renders to the commissioner information and advice concerning the administration of the Department of Inland Fisheries and Wildlife. Public Law 2013, chapter 375 removes 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, but under Public Law 2013, chapter 375 as part of its revised duties the advisory committee makes recommendations based on public and stakeholder input to the commissioner regarding rules. Public Law 2013, chapter 375 allows the commissioner's designee to be a member of the advisory council. Finally, Public Law 2013, chapter 375 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.

LD 142 An Act To Add Using an All-terrain Vehicle to the List of Activities PUBLIC 88
Included in the Definition of "Guide" in the Inland Fisheries and
Wildlife Laws

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLACK THOMAS	OTP	

This bill amends the inland fisheries and wildlife laws to add using an all-terrain vehicle to the list of activities a guide accompanies or assists a person with for remuneration.

Enacted Law Summary

Public Law 2013, chapter 88 amends the inland fisheries and wildlife laws to add using an all-terrain vehicle to the list of activities a guide accompanies or assists a person with for remuneration.

LD 143 An Act To Allow a Hunter To Harvest a Wild Turkey of Either Sex ONTP
during the Month of October without an Extra Charge for the Permit

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

This bill requires the Commissioner of Inland Fisheries and Wildlife to establish a wild turkey hunting season for the month of October to allow the harvest of wild turkeys of either sex. This season would be open to any licensed hunter and would not require any extra permit charge. The bill provides that the hunter must have any harvested turkey tagged. See enacted law summary for LD 200.

LD 144 An Act To Remove the Requirement That a Person Training Dogs on PUBLIC 247
Sundays Possess a Valid Hunting License EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KESCHL SAVIELLO	OTP-AM	H-357