

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
126<sup>TH</sup> 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

**STAFF:**

AMY WINSTON, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670

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# STATE OF MAINE

126<sup>TH</sup> 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 126<sup>th</sup> 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 126<sup>th</sup> 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*

### 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

**Joint Standing Committee on Inland Fisheries and Wildlife**

This bill removes the requirement that a person who trains dogs on wild birds or wild animals on Sundays possess a valid hunting license.

**Committee Amendment "A" (H-357)**

This amendment adds a provision to the bill that makes a person ineligible to train dogs on wild birds and wild animals if that person has a suspended or revoked license issued by the Department of Inland Fisheries and Wildlife.

**Enacted Law Summary**

Public Law 2013, chapter 247 removes the requirement that a person who trains dogs on wild birds or wild animals on Sundays possess a valid hunting license and makes a person ineligible to train dogs on wild birds and wild animals if that person has a suspended or revoked license issued by the Department of Inland Fisheries and Wildlife.

Public Law 2013, chapter 247 was enacted as an emergency measure effective June 13, 2013.

**LD 153      An Act To Establish a Comprehensive Hunting and Fishing License      CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KESCHL SAVIELLO		

This bill eliminates the super pack license and replaces it with a comprehensive license that includes all hunting and fishing licenses and permits and entries into the moose and antlerless deer lotteries. The comprehensive license differs from the super pack license in that:

1. The holder is not allowed to take more deer than is permitted for other hunting license holders;
2. The license does not include an antlerless deer permit for use in wildlife management districts in which 3,500 such permits are issued;
3. The resident fee for the license is \$35 instead of \$200;
4. The license is available to nonresidents and aliens for a fee of \$125; and
5. There is no license fee category for a person who holds 2 or more lifetime licenses.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

See also enacted law summary for LD 229.

**LD 163      An Act To Increase the Number of Rafting Passengers Allowed for Licensed Outfitters on Unallocated Rivers      ONTP**

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

This bill increases the number of rafting passengers allowed on unallocated rapidly flowing rivers for licensed outfitters from 92 passengers per day to 120 passengers per day.