

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

4. It provides that the hours for the spring wild turkey hunting season are from 30 minutes before sunrise until 30 minutes after sunset. This provision is repealed at the end of the spring 2016 season.

See also LD 1015.

LD 201 **An Act To Permit Tribal Members To Hunt Any Animal or Bird at Any Time for Sustenance** **INDEF PP**

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

This bill provides that, notwithstanding other laws governing inland fisheries and wildlife, an enrolled member of the Passamaquoddy Tribe, the Penobscot Nation, the Houlton Band of Maliseet Indians or the Aroostook Band of Micmacs may hunt for, take and possess any wild animal or bird at any time for sustenance use. "Sustenance use" includes all noncommercial consumption or noncommercial use by the enrolled member or the enrolled member's immediate family or within the enrolled member's household.

Committee Amendment "A" (H-202)

This amendment, which is the minority report, replaces the bill. The amendment applies the provisions of the bill only to enrolled members of the Houlton Band of Maliseet Indians and limits the exercise of rights in the bill to public land in Aroostook County. The amendment also requires that the hunting activity be conducted with best efforts to comply with all fish and wildlife laws and rules, and it does not apply to a species identified as endangered under state or federal law. This amendment was not adopted.

LD 202 **An Act To Permit Tribal Members To Fish at Any Time for Sustenance** **INDEF PP**

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

This bill provides that, notwithstanding other laws governing inland fisheries and wildlife, an enrolled member of the Passamaquoddy Tribe, the Penobscot Nation, the Houlton Band of Maliseet Indians or the Aroostook Band of Micmacs may fish for, take and possess any fish at any time for sustenance use. "Sustenance use" includes all noncommercial consumption or noncommercial use by the enrolled member or the enrolled member's immediate family or within the enrolled member's household.

Committee Amendment "A" (H-209)

This amendment, which is the minority report, replaces the bill. The amendment applies the provisions of the bill only to enrolled members of the Houlton Band of Maliseet Indians and limits the exercise of rights in the bill to public land in Aroostook County. The amendment also requires that the hunting activity be conducted with best efforts to comply with all fish and wildlife laws and rules, and it does not apply to a species identified as endangered under state or federal law. This amendment was not adopted.