

# 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

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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*

**LD 599**      **An Act To Review Possible Expansion of Dip Net Fishing in Northern Maine**      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THERIAULT JACKSON T	ONTP	

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to consider the expansion of dip net smelt fishing in northern Maine in specific streams in Aroostook County that are now closed.

**LD 600**      **An Act To Include Archery Hunting Licenses among the Complimentary Licenses Issued to a Member of a Federally Recognized Indian Tribe, Nation or Band**      **PUBLIC 136**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL CAIN	OTP	

This bill adds an archery hunting license to the list of complimentary licenses issued to members of federally recognized Indian nations, bands and tribes. It also exempts members of federally recognized Indian nations, bands and tribes from required trapper evaluation programs and archery hunter education courses.

**Enacted Law Summary**

Public Law 2013, chapter 136 adds an archery hunting license to the list of complimentary licenses issued to members of federally recognized Indian nations, bands and tribes. It also exempts members of federally recognized Indian nations, bands and tribes from required trapper evaluation programs and archery hunter education courses.

**LD 601**      **An Act To Require That Certain Changes in Conservation Law Not Be Made by Rule**      **ONTP**

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

This bill provides that the Commissioner of Inland and Fisheries and Wildlife may not adopt or amend a rule that affects or changes the public use of a fishery or body of water.

**LD 617**      **An Act To Protect the State's Native and Wild Brook Trout and Discourage Illegal Fish Introduction**      **ONTP**

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

This bill does the following.

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

1. It requires the Commissioner of Inland Fisheries and Wildlife to include in the listing of state heritage fish waters those waters that contain eastern brook trout and that have not been stocked since January 1, 1988. It also requires the commissioner to ensure these waters are protected to the same extent as state heritage fish waters composed of lakes and ponds that contain eastern brook trout that have never been stocked.
2. It establishes additional protections for lakes and ponds containing eastern brook trout that do not contain any nonnative species, including waters not designated as state heritage fish waters. The commissioner is required to annually inventory these waters and identify any nonnative species introduced into the waters. The commissioner is also required to take any actions within the commissioner's authority to ensure that nonnative species are not introduced into these waters and that any nonnative species that is introduced is removed. It prohibits a person from using live fish as bait or possessing live fish to be used as bait in any of these waters.
3. It eliminates all closed seasons and number, amount, weight and size limits for the taking or possession of any species of fish identified as having been illegally introduced. The commissioner may not actively promote fishing for these fish, but the commissioner is required to encourage persons who do catch these fish to kill them.

See enacted law summary for LD 1191.

**LD 618      An Act To Eliminate Restrictions on Affiliated Outfitters in Laws      ONTP**  
**Governing Whitewater Rafting**

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

This bill eliminates those sections of law that govern the licensure of affiliated groups and affiliated outfitters as commercial whitewater outfitters, removing restrictions on their participation in the industry.

See enacted law summary for LD 281.

**LD 652      Resolve, To Establish the Advisory Committee To Update Rules      INDEF PP**  
**Regulating Commercial Whitewater Rafting**

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

This bill was acted upon without reference to committee.

This resolve establishes the Advisory Committee To Update Rules Regulating Commercial Whitewater Rafting.

**LD 679      Resolve, Regarding the Management of Maine's Brook Trout and      ACCEPTED**  
**Landlocked Salmon Resources      MAJORITY**  
**(ONTP) REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HUBBELL LANGLEY	ONTP OTP	