

# 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*

**LD 758      An Act To Protect Boats, Moorings and Docks in the Inland Waters of the State      ONTP**

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

This bill closes to fishing inland waters within 250 feet of shorelines containing docks, boats, moorings or swimming floats and requires the Commissioner of Inland Fisheries and Wildlife to adopt rules to implement this closure.

**LD 775      An Act To Require a Nonresident To Hire a Maine Guide To Hunt Sea Ducks      ONTP**

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

This bill requires a nonresident sea duck hunter to hire and be accompanied by a licensed Maine guide.

**LD 798      An Act To Permit Night Hunting of Coyotes on Sunday      ONTP**

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

This bill permits a person to hunt coyotes at night on Sundays during the open season on coyote.

See also bill summaries for LDs 96, 199, 970 and 1148.

**LD 799      Resolve, To Allow Use of Live Bait for Fishing in the Allagash Wilderness Waterway and Fish River Waterway      ONTP**

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

This resolve directs the Commissioner of Inland Fisheries and Wildlife to amend department rules to allow the use of live bait on the Allagash Wilderness Waterway and the Fish River Waterway.

**LD 800      An Act To Expand Migratory Waterfowl Hunting Opportunities      ONTP**

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

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

This bill allows Sunday migratory waterfowl hunting during the second duck hunting season established by rule by directing the Commissioner of Inland Fisheries and Wildlife to amend the rule for that duck hunting season to allow for Sunday hunting.

**LD 857      An Act To Examine Fees Charged by Municipalities Concerning  
Outdoor-related Activities**

**PUBLIC 199**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ESPLING DUTREMBLE	OTP-AM	H-224

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

This bill proposes to examine fees charged by municipalities concerning outdoor-related activities, including but not limited to hunting. This examination must include a review of fees charged by municipalities in connection with archery activities and a review of the laws governing these fees and activities.

**Committee Amendment "A" (H-224)**

This amendment clarifies that municipalities may not adopt or enforce any ordinance, law or rule that regulates or charges a fee for hunting, trapping or fishing, or that regulates or charges a fee for the possession or use of any hunting equipment, besides firearms, that is expressly permitted under the Maine Revised Statutes, Title 12, Part 13.

**Enacted Law Summary**

Public Law 2013, chapter 199 clarifies that municipalities may not adopt or enforce any ordinance, law or rule that regulates or charges a fee for hunting, trapping or fishing, or that regulates or charges a fee for the possession or use of any hunting equipment, besides firearms, that is expressly permitted under the Maine Revised Statutes, Title 12, Part 13.

**LD 879      An Act To Increase State Wildlife Revenues and Grow the Hunting and  
Fishing Industries**

**PUBLIC 145**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE	OTP-AM	S-92

This bill:

1. Limits the taking of bucks to those with 3 or more antler points on one side for those hunters without antlerless deer permits;
2. Creates a lifetime combination license for a nonresident 65 years of age or older for a \$500 fee;
3. Allows a 100% disabled veteran who is a resident of New Hampshire or Vermont to obtain free hunting, trapping and fishing licenses if that veteran's state has a reciprocal agreement with Maine;
4. Directs the Joint Standing Committee on Inland Fisheries and Wildlife to define "deer wintering area" and to develop tax incentives for landowners to take steps to protect deer wintering areas; and
5. Directs the Department of Inland Fisheries and Wildlife to work with land trusts to develop ways to protect deer wintering areas by conservation easement.