

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
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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 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 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.

Joint Standing Committee on Inland Fisheries and Wildlife

Committee Amendment "A" (S-92)

This amendment strikes everything in the bill except for the provision that 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.

Enacted Law Summary

Public Law 2013, chapter 145 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.

LD 895 Resolve, Directing the Department of Inland Fisheries and Wildlife To ONTP
Amend Its Rules Regarding Required Setback Distances for Beaver
Traps

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

This resolve requires the Department of Inland Fisheries and Wildlife to amend its rules pertaining to the required setback distances from active beaver dams and beaver houses for the setting, placing and tending of traps in order to expand the number of wildlife management districts for which no setback distance is required.

LD 896 An Act To Allow Fox Hunting at Night ONTP

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

This bill establishes an open season for hunting fox at night in all counties of the State.

LD 910 Resolve, Directing the Department of Inland Fisheries and Wildlife To ONTP
Study and Make Recommendations Regarding the Bear Hunting Season

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

This resolve requires the Department of Inland Fisheries and Wildlife to study issues that exist during the overlapping of the bear hunting season when bait is allowed to be used and the bear hunting season when dogs are allowed to be used and report the results of its study to the Joint Standing Committee on Inland Fisheries and Wildlife by January 15, 2014. The committee is authorized to report out a bill to implement its recommendations related to the report.

See bill summary for LD 98 and enacted law summary for LD 1225.