

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

LD 1435

An Act To Amend Certain Provisions of the Fish and Wildlife Laws

PUBLIC 408

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHAW HASKELL	OTP-AM	H-500 S-363 HILL

This bill amends the fish and wildlife laws in the following ways.

1. It allows the Commissioner of Inland Fisheries and Wildlife, after consultation with the Governor and the Inland Fisheries and Wildlife Advisory Council, to terminate any open season for hunting, fishing or trapping in any part of the State due to adverse weather conditions or unlawful activity. Once the reason for the termination has passed, the commissioner, with the consent of the Governor, may extend the open season in the affected part of the State for a number of days not to exceed the number of days hunting, fishing or trapping was prohibited.
2. It allows the commissioner, in addition to current authorization to issue 2 moose permits to a nonprofit organization providing hunting and fishing adventures to children under 21 years of age, to issue, in extenuating circumstances, 2 other permits or licenses for other fishing or hunting adventures.
3. It removes the requirement that the commissioner or the commissioner's designee meet with an applicant with a permanent physical disability seeking special authorization to hunt, trap or fish in a manner not otherwise authorized.
4. It allows a resident or member of the resident's family to trap beaver on land that is owned and occupied by the resident as a domicile and that is used exclusively for agricultural purposes.
5. It provides for the registration of antique motorboats, which are boats that are more than 50 years old.
6. It allows a resident who is in the military stationed outside of the State to get a trapping license for the cost of the license to the department and allows the spouse and children of that resident in the military to get a reduced-fee trapping license.
7. It establishes a quorum and attendance requirements for the Inland Fisheries and Wildlife Advisory Council.
8. It clarifies that a person can forgo a hunter education safety course by showing proof that the person has previously held a valid adult license for the license being sought.

Committee Amendment "A" (H-500)

This amendment strikes the provision of the bill regarding registration of antique motorboats. This amendment also:

1. Waives the boat registration requirement for motorboats participating in a permitted event;
2. Renames a wildlife management area after Major Gregory Sanborn;
3. Allows the Commissioner of Inland Fisheries and Wildlife to charge a \$1 fee for a temporary registration certificate for a snowmobile dealer;
4. Changes what constitutes driving deer;
5. Includes skull mounts as part of the list of activities that a taxidermist license holder may partake in;

Joint Standing Committee on Inland Fisheries and Wildlife

- 6. Allows certain Department of Inland Fisheries and Wildlife programs to offer gifts;
- 7. Clarifies the law that allows for special antlerless deer permits to be issued to certain amputees;
- 8. Eliminates the fishing license requirement for all individuals under 16 years of age; and
- 9. Includes all nonresident junior hunting permits in a nonresident junior hunting license at no additional cost.

Senate Amendment "A" To Committee Amendment "A" (S-363)

This amendment removes the provision that allows a nonresident who is 12 years of age or older and under 16 years of age to fish without a license.

Enacted Law Summary

Public Law 2013, chapter 408 does the following:

- 1. Waives the boat registration requirement for motorboats participating in a permitted event;
- 2. Renames a wildlife management area after Major Gregory Sanborn;
- 3. Allows the Commissioner of Inland Fisheries and Wildlife to charge a \$1 fee for a temporary registration certificate for a snowmobile dealer;
- 4. Changes what constitutes driving deer;
- 5. Includes skull mounts as part of the list of activities that a taxidermist license holder may partake in;
- 6. Allows certain Department of Inland Fisheries and Wildlife programs to offer gifts;
- 7. Clarifies the law that allows for special antlerless deer permits to be issued to certain amputees; and
- 8. Includes all nonresident junior hunting permits in a nonresident junior hunting license at no additional cost.

LD 1474 An Act To Amend the Laws Pertaining to the Hunting of Bear

ONTP

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

This bill prohibits, with certain exceptions, hunting bear with dogs and trapping bear. The bill also sets a permanent closed season on bear hunting from January 1st through July 31st and decreases the bear bag limit from two to one. In addition, the bill prohibits the trade in bear gall bladders and imposes increased penalties for bear poaching for repeat offenders.

See also enacted law summary for LD 1016.