

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON INLAND FISHERIES
AND WILDLIFE**

May 2014

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STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION
LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

The *Digest* is arranged 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.

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 HOUSESHouse & 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
EMERGENCYenacted 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 Second Regular Session of the 126th Legislature is August 1, 2014. 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

11. It exempts a person who loses a license under the interstate wildlife violator compact as a result of a conviction occurring out of state from the requirement that the person complete Maine's outdoor ethics course in order to have the Maine license reinstated once the person has met the eligibility requirements for reinstatement of the license in the state in which the conviction occurred.
12. It reallocates the provision of law regarding the outdoor ethics course.
13. It exempts a person who applies for a Maine apprentice hunter license from the requirement to take a hunter safety course as otherwise required by law.
14. It amends the junior hunting, apprentice hunting and junior trapping laws in order to make them more consistent and, in the context of the provisions for the supervision of junior hunters and junior trappers, clearly defines "in the presence of" to include visual and voice contact that does not include the use of technology, including but not limited to binoculars and citizen band radios.
15. It repeals and re-enacts Public Law 2013, chapter 437, section 1, which established moose permits for hunting lodges, and, for purposes of entry into the moose permit lottery and allocation of moose lottery permits, defines "hunting outfitter" to include sporting camp owner-operators who are licensed to provide package deals for food, lodging and the services of a guide. It prohibits the sale or transfer of the permit by a hunter who receives it through a hunting outfitter.
16. It removes the restriction against discharging a bow and arrow, or causing a projectile to pass as a result of that discharge, within 100 yards of a building or residential dwelling without permission from the building's owner or occupant or owner's authorized representative.
17. It repeals the law requiring a grouse hunter to label ruffed grouse the hunter harvested when travelling within or through the unorganized territory.
18. It corrects a reference to junior hunting licenses in the provision on hunter safety requirements to consistently use the term "junior" when referring to a hunting license for people between 10 and 16 years of age.
19. It requires the Commissioner of Inland Fisheries and Wildlife to provide an annual report to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters documenting any rule-making actions taken to amend the list of waters containing state heritage fish adopted by the commissioner by rule. It also changes the designation of rules governing the removal of waters from the list from major substantive to routine technical.
20. It authorizes \$150,000, which was allocated in Public Law 2013, chapter 368, for security improvements and facility renovations at the Department of Inland Fisheries and Wildlife headquarters in Gray, to be used instead for construction of a new headquarters facility in Gray.

Public Law 2013, chapter 538 was enacted as an emergency measure effective April 10, 2014.

LD 1695 **An Act Regarding Fishways**

PUBLIC 499

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FOWLE KATZ	OTP-AM	H-673

This bill reduces the distance from the fishway in Webber Pond in Vassalboro within which a person may not fish from 150 feet to 25 feet, to allow fishing from the nearby town dock area.

Joint Standing Committee on Inland Fisheries and Wildlife

Committee Amendment "A" (H-673)

This amendment changes the bill to restrict fishing in or from the fishway at Webber Pond Dam in the Town of Vassalboro in Kennebec County.

This amendment also restricts fishing in or from the fishway at Pushaw Lake Dam in the Town of Hudson in Penobscot County, Davis Pond Dam in the Town of Eddington in Penobscot County, Leonard's Mills Dam on Blackman Stream in the Town of Bradley in Penobscot County and Souadabscook Stream Dam at Grist Mill Road in the Town of Carmel in Penobscot County.

Enacted Law Summary

Public Law 2013, chapter 499 restricts fishing in or from the fishway at Webber Pond Dam in the Town of Vassalboro in Kennebec County, Pushaw Lake Dam in the Town of Hudson in Penobscot County, Davis Pond Dam in the Town of Eddington in Penobscot County, Leonard's Mills Dam on Blackman Stream in the Town of Bradley in Penobscot County and Souadabscook Stream Dam at Grist Mill Road in the Town of Carmel in Penobscot County.

LD 1845 An Act To Prohibit the Use of Dogs, Bait or Traps When Hunting Bears INDEF PP
Except under Certain Circumstances

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
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This initiated bill prohibits the use of dogs to hunt or pursue bear, the use of bait to hunt or attract bear and the setting of a trap to hunt or capture bear. The use of dogs, bait or a trap is permitted for certain scientific and research purposes or for state or federal employees when necessary to hunt or capture a specific offending bear that threatens livestock, domestic animals, threatened or endangered wildlife or public safety. Baiting is also permitted by owners or operators of commercial timberlands in order to prevent damage to commercial timberland.