

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
SECOND REGULAR SESSION



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

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

May 2016

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STATE OF MAINE

127TH LEGISLATURE

SECOND REGULAR SESSION



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 Second Regular Session of the 127th 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. An appendix provides a summary of relevant session statistics.

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 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 127th Legislature is July 29, 2016. 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 609 An Act To Allow a Nonresident Landowner Who Owns 25 or More
Acres of Land To Hunt on Residents-only Deer Hunting Day**

PUBLIC 401

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN J DAVIS P	OTP-AM ONTP	H-550

This bill was carried over from the First Regular Session of the 127th Legislature. It authorizes the Commissioner of Inland Fisheries and Wildlife to issue any hunting or fishing license at a reduced rate to a nonresident who owns more than 250 acres of land in this State and keeps that land open for hunting.

Committee Amendment "A" (H-550)

This amendment is the majority report of the committee. It replaces the bill and allows a nonresident who owns 25 or more acres of land in Maine and leaves that property open to hunting and holds a valid hunting license to hunt on the Saturday preceding the first day of the open season on deer, otherwise known as residents-only deer hunting day. This amendment also repeals this provision on September 15, 2018.

Enacted Law Summary

Public Law 2015, chapter 401 allows a nonresident who owns 25 or more acres of land in Maine and leaves that property open to hunting and holds a valid hunting license to hunt on the Saturday preceding the first day of the open season on deer, otherwise known as residents-only deer hunting day. This law is repealed September 15, 2018.

**LD 640 Resolve, To Establish a Working Group To Review the Incidental Take
Permitting Process under the Endangered Species Laws**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P SHERMAN R	ONTP	

This resolve was carried over from the First Regular Session of the 127th Legislature. It requires the Department of Inland Fisheries and Wildlife to convene a working group of representatives of related industries to develop recommended statutory amendments or agency rules to implement the statute governing the incidental take permitting process governing the taking of an endangered or threatened species while engaged in a lawful activity.

LD 668 An Act To Market Maine's Hunting and Fishing Opportunities

**Died On
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUCHESNE R CYRWAY S	OTP-AM	H-587

This bill directs the Commissioner of Inland Fisheries and Wildlife to establish a comprehensive marketing program for the Department of Inland Fisheries and Wildlife that is led and coordinated by a dedicated marketing specialist, whose position is required to be created within the department's Division of Public Information and Education.

Committee Amendment "A" (H-587)

This amendment adds a General Fund appropriation of \$250,000 in ongoing funding in fiscal year 2016-17 to fund

Joint Standing Committee on Inland Fisheries and Wildlife

the establishment and operation of the comprehensive marketing program proposed in the bill and to fund one Marketing Specialist position. It also directs the Department of Inland Fisheries and Wildlife to submit a bill to the First Regular Session of the 128th Legislature to increase the total funding for the comprehensive marketing program to \$300,000 in fiscal year 2017-18.

This amendment repeals the comprehensive marketing program on July 1, 2019.

**LD 1593 An Act To Make Hunting, Fishing and Trapping the Basis of Managing
 Inland Fisheries and Wildlife Resources**

PUBLIC 416

<u>Sponsor(s)</u>	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-573
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This bill was reported by the committee pursuant to joint order, H.P. 976 and then referred back to the committee for processing in the normal course.

This bill establishes contingent wildlife management provisions that become effective when a ballot measure for a direct initiative of legislation is approved that reduces wildlife management methods available to the Department of Inland Fisheries and Wildlife. The provisions of this bill apply only to the animals that are significantly affected either directly or indirectly by the approved ballot measure. The bill does the following.

1. It places a cap on the revenue the Commissioner of Inland Fisheries and Wildlife may expend to control animals causing damage or any other nuisance animals to the level spent in the fiscal year prior to the effective date of the direct initiative of legislation.
2. It prohibits the commissioner from establishing or implementing a sterilization program to control the population of an animal.
3. It provides that the department may not dispose of an animal in a manner that would constitute waste under existing statute and prohibits the department from disposing of on state-owned land an animal killed by the department.
4. It requires the commissioner to develop a landowner depredation program that sets a limit on the number of animals that may be retained by the landowner and requires a landowner to donate any animal taken from that landowner's land for depredation purposes exceeding the limit established by the commissioner to the Hunters for the Hungry program.
5. It also provides that within 90 days after the Secretary of State verifies a petition that proposes to reduce or alter wildlife management methods or management options available to the department and sends the proposed measure to the Legislature, the commissioner must conduct an impact assessment on that measure and report the commissioner's analysis to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters.
6. It requires the commissioner to report on the landowner depredation program annually to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters.

Committee Amendment "A" (H-573)

Current law provides that the Department of Inland Fisheries and Wildlife is established to preserve, protect, enhance and effectively manage the inland fisheries and wildlife resources of the State. This amendment replaces the bill and adds using regulated hunting, fishing and trapping as the basis for the management of these resources whenever feasible.