

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
127<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**

August 2015

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**STAFF:**

CURTIS BENTLEY, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670

# STATE OF MAINE

127<sup>TH</sup> LEGISLATURE

FIRST 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 First Regular Session of the 127<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. 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.

|  |  |
|--|--|
| <i>CARRIED OVER</i> .....                                  | <i>carried over to a subsequent session of the Legislature</i>                           |
| <i>CON RES XXX</i> .....                                   | <i>chapter # of constitutional resolution passed by both houses</i>                      |
| <i>CONF CMTE UNABLE TO AGREE</i> .....                     | <i>Committee of Conference unable to agree; legislation died</i>                         |
| <i>DIED BETWEEN HOUSES</i> .....                           | <i>House &amp; Senate disagreed; legislation died</i>                                    |
| <i>DIED IN CONCURRENCE</i> .....                           | <i>defeated in each house, but on different motions; legislation died</i>                |
| <i>DIED ON ADJOURNMENT</i> .....                           | <i>action incomplete when session ended; legislation died</i>                            |
| <i>EMERGENCY</i> .....                                     | <i>enacted law takes effect sooner than 90 days after session adjournment</i>            |
| <i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i> .....  | <i>emergency failed to receive required 2/3 vote</i>                                     |
| <i>FAILED, ENACTMENT or FINAL PASSAGE</i> .....            | <i>failed to receive final majority vote</i>   |
| <i>FAILED, MANDATE ENACTMENT</i> .....                     | <i>legislation proposing local mandate failed required 2/3 vote</i>                      |
| <i>HELD BY GOVERNOR</i> .....                              | <i>Governor has not signed; final disposition to be determined at subsequent session</i> |
| <i>LEAVE TO WITHDRAW</i> .....                             | <i>sponsor's request to withdraw legislation granted</i>                                 |
| <i>NOT PROPERLY BEFORE THE BODY</i> .....                  | <i>ruled out of order by the presiding officer; legislation died</i>                     |
| <i>INDEF PP</i> .....                                      | <i>indefinitely postponed; legislation died</i>  |
| <i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i> .... | <i>ought-not-to-pass report accepted; legislation died</i>                               |
| <i>P&amp;S XXX</i> .....                                   | <i>chapter # of enacted private &amp; special law</i>                                    |
| <i>PUBLIC XXX</i> .....                                    | <i>chapter # of enacted public law</i>   |
| <i>RESOLVE XXX</i> .....                                   | <i>chapter # of finally passed resolve</i>   |
| <i>VETO SUSTAINED</i> .....                                | <i>Legislature failed to override Governor's veto</i>                                    |

The effective date for non-emergency legislation enacted in the First Regular Session of the 127<sup>th</sup> Legislature is October 15, 2015. 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 746      An Act Regarding Captive Amphibian and Reptile Permits      ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BECK<br>CUSHING   | ONTP                    |                           |

This bill generally exempts nonnative amphibians and nonnative reptiles from the law that requires a permit for the possession of wildlife in captivity and the importation of wildlife from outside of the State but provides a list of nonnative amphibian and nonnative reptile species that are still subject to the permitting requirement. It also specifies that all native amphibians and native reptiles are subject to the permitting requirement.

**LD 753      RESOLUTION, Proposing an Amendment to the Constitution of Maine      INDEF PP**  
**To Establish the Right To Hunt and Fish**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| WOOD<br>BURNS     | ONTP<br>OTP-AM          |                           |

This resolution proposes to amend the Constitution of Maine to provide that the right of the people of this State to hunt, fish and harvest game and fish, including by the use of traditional methods, may not be infringed, subject to reasonable laws and rules to promote wildlife conservation and management, to maintain natural resources in trust for public use and to preserve the future of hunting and fishing. It also provides that public hunting and fishing are a preferred means of managing and controlling wildlife.

**Committee Amendment "A" (H-394)**

This amendment, which is the minority report of the committee, incorporates a fiscal note.

**LD 755      An Act Concerning Antler Restrictions      ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| WOOD              | ONTP                    |                           |

This bill prohibits a person from taking a buck with fewer than three antler points on one side in any wildlife management district where antlerless deer permits are issued.

**LD 773      An Act To Allow Anadromous Fish Passage through Beaver Dams      Accepted Majority (ONTP) Report**

| <u>Sponsor(s)</u>    | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| PIERCE J<br>MIRAMANT | ONTP<br>OTP-AM          |                           |

This bill gives the Commissioner of Inland Fisheries and Wildlife and the Commissioner of Marine Resources the authority to issue a permit to a person to construct a fishway or a passageway through a beaver dam for the passage of anadromous fish.

*Joint Standing Committee on Inland Fisheries and Wildlife*

**Committee Amendment "A" (H-178)**

This amendment, which is the minority report of the committee, replaces the bill. Currently, a person may remove a beaver dam with the authorization of a game warden and as long as certain conditions are met. This amendment provides that a person may also alter a beaver dam to allow the passage of anadromous fish with the authorization of a game warden.

**LD 781 An Act To Expand Turkey Hunting Opportunities**

**PUBLIC 127**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| SAVIELLO          | OTP-AM                  | S-103                     |

This bill expands turkey hunting opportunities by:

1. Eliminating the turkey permit requirements;
2. Allowing the hunting of turkey with a big game or small game hunting license;
3. Requiring deer registration stations to also register turkeys; and
4. Providing for electronic or telephonic registration of turkeys.

**Committee Amendment "A" (S-103)**

This amendment replaces the bill, which eliminates wild turkey permit requirements. Current law requires that a person hold a big game license to be eligible to purchase a wild turkey permit. This amendment makes the holder of a small game license also eligible to hold a wild turkey permit. It also directs the Commissioner of Inland Fisheries and Wildlife to establish a November wild turkey hunting season that is in addition to the current fall wild turkey hunting season in October. The amendment eliminates the bill's provisions regarding registration of wild turkeys. The amendment provides an effective date of January 1, 2016.

**Enacted Law Summary**

Public Law 2015, chapter 127 makes the holder of a small game license also eligible to hold a wild turkey permit and directs the Commissioner of Inland Fisheries and Wildlife to establish a November wild turkey hunting season that is in addition to the current fall wild turkey hunting season in October.

Public Law 2015, chapter 127 has an effective date of January 1, 2016.

**LD 799 An Act To Stimulate the Economy and Invigorate the Hunting Industry by Establishing a Pilot Project To Allow Hunting on Sundays in Limited Areas**

**Accepted Majority (ONTP) Report**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CHACE             | ONTP<br>OTP             |                           |

This bill allows as a pilot project until January 1, 2018 hunting on Sundays in wildlife management districts 1 to 14, 17, 19 and 28 for any species during the open season on that species. It requires the Department of Inland Fisheries and Wildlife to submit by January 1, 2017 a report to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters regarding the status of the pilot project and recommendations