

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH 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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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 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.

<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 & 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&S XXX</i>	<i>chapter # of enacted private & 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 127th 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 811 An Act To Benefit Senior Hunters

ONTP

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

This bill allows a resident of the State who is 70 years of age or older and possesses a hunting license to lawfully take an antlerless deer without a permit during the open season on deer. It also requires the Department of Inland Fisheries and Wildlife to designate which hunting zones are open to the taking of antlerless deer by such residents.

LD 833 Resolve, To Direct the Department of Inland Fisheries and Wildlife To Add Koi to the List of Fish Approved for Aquariums

ONTP

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

This resolve directs the Department of Inland Fisheries and Wildlife to amend its rules to add koi, *Cyprinus carpio haematopterus*, to the list of unrestricted fish that do not require an importation permit or possession permit and to allow koi to be kept only in a closed aquarium or pond system.

LD 848 An Act To Increase the Safety of Hunting

ONTP

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

This bill:

1. Imposes a mandatory \$500 penalty for a violation of discharging a firearm or crossbow within 100 yards of a building or residential dwelling;
2. Increases the minimum distance for discharging a firearm to 100 feet from the center of a paved road and sets a penalty of \$500 for a violation; and
3. Requires that a firearm with a rifled barrel in or on a motor vehicle during deer hunting season be enclosed in a case.

LD 849 Resolve, Directing the Department of Inland Fisheries and Wildlife To Examine the Use of an Antler Point Restriction System To Increase the Age, Size and Number of Antlered Deer in Maine

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS ALLEY	OTP-AM ONTP	S-110

This bill requires the Commissioner of Inland Fisheries and Wildlife to adopt an antler point restriction system to

Joint Standing Committee on Inland Fisheries and Wildlife

increase the population of older antlered deer in the State. It also directs the commissioner to adopt rules to implement and enforce the system.

Committee Amendment "A" (S-110)

This amendment, which is the majority report of the committee, replaces the bill with a resolve that directs the Department of Inland Fisheries and Wildlife to study issues relating to increasing the number, size and age of antlered deer in this State, collect and examine relevant information from other states regarding the use of an antler point restriction system and submit a report of its findings and recommendations to the Joint Standing Committee on Inland Fisheries and Wildlife by January 15, 2016. The committee is authorized to report out a bill relating to the department's report to the Second Regular Session of the 127th Legislature.

LD 887 An Act To Prohibit Hunting Bear Using Dogs and Trapping Bear ONTP

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

This bill prohibits the use of dogs while hunting bear and it prohibits trapping bear, unless necessary for the trapping of nuisance bears as permitted by the Commissioner of Inland Fisheries and Wildlife.

LD 888 An Act To Recognize and Provide for the Right To Hunt for Sustenance in Aroostook County for Maliseet and Micmac Tribal Members and Disabled Veterans Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAR WILLETTE	ONTP OTP-AM	

This bill provides that members of the Houlton Band of Maliseet Indians and the Aroostook Band of Micmacs may hunt for any wild animal or bird at any time in Aroostook County for sustenance use. Tribal members engaging in this sustenance hunting are largely exempt from general wild game laws, except that moose and bear hunting must be done by special permits issued by the Commissioner of Inland Fisheries and Wildlife. The commissioner is required to annually issue 33 moose permits and 33 bear permits to members of each respective tribe. The commissioner is also directed to annually issue 33 moose permits and 33 bear permits for sustenance hunting in Aroostook County to 100% disabled United States veterans residing in Aroostook County, who are bound by the general wild game laws except that they may hunt from a motor vehicle.

Committee Amendment "A" (H-106)

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

Senate Amendment "A" (S-73)

This amendment replaces the bill and directs the Commissioner of Inland Fisheries and Wildlife to issue annually 33 moose permits to enrolled members of the Houlton Band of Maliseet Indians and 33 moose permits to enrolled members of the Aroostook Band of Micmacs valid only in wildlife management districts located in Aroostook County. The commissioner may limit the number of moose permits and all permits are subject to the provisions pertaining to moose hunting. The permits are free of charge.