

# 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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# 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*

The portion of this amendment regarding a chief law enforcement officer's certification on a person's federal application to transfer or make a firearm, including a noise suppression device:

1. Directs a chief law enforcement officer to provide the certification within 15 days of receipt, unless the officer has information that prevents the officer from providing the certification. A generalized objection to a person's possessing or transferring a firearm or a certain type of firearm is not sufficient;
2. Requires an officer who denies an application for certification to provide in writing the reasons for the denial;
3. Clarifies that a denial of an application or refusal or failure to provide a certification is a governmental action subject to appeal under the Maine Rules of Civil Procedure; and
4. Limits the information an officer may require from an applicant for certification and prohibits the officer from requiring access or consent to inspect any private premises as a condition of making a certification.

**Enacted Law Summary**

Public Law 2015, chapter 262 does the following regarding the use of noise suppression devices:

1. Until August 1, 2018, allows a person to use a noise suppression device while hunting, as long as the person has lawful possession of the device and has not had a hunting license revoked as a result of a serious hunting violation;
2. Provides for enhanced penalties for a person who commits a hunting violation while in possession of a firearm with a noise suppression device;
3. Provides for the permanent revocation of a person's hunting license and the seizure and libel of the person's firearm and noise suppression device if the person commits a serious hunting violation while in possession of a firearm with a noise suppression device; and
4. Provides definitions of "hunting crime" and "serious hunting violation."

Public Law 2015, chapter 262 does the following regarding a chief law enforcement officer's certification on a person's federal application to transfer or make a firearm, including a noise suppression device:

1. Directs a chief law enforcement officer to provide the certification within 15 days of receipt, unless the officer has information that prevents the officer from providing the certification. A generalized objection to a person's possessing or transferring a firearm or a certain type of firearm is not sufficient;
2. Requires an officer who denies an application for certification to provide in writing the reasons for the denial;
3. Clarifies that a denial of an application or refusal or failure to provide a certification is a governmental action subject to appeal under the Maine Rules of Civil Procedure; and
4. Limits the information an officer may require from an applicant for certification and prohibits the officer from requiring access or consent to inspect any private premises as a condition of making a certification.

**LD 959**

**An Act To Amend the Membership of the Maine Outdoor Heritage Fund Board**

**ONTP**

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

***Joint Standing Committee on Inland Fisheries and Wildlife***

This bill repeals the definition of the Coordinator of the Natural Areas Program and removes the Coordinator of the Natural Areas Program in the Department of Agriculture, Conservation and Forestry as a member of the Maine Outdoor Heritage Fund Board and replaces that member with the Commissioner of Marine Resources.

**LD 1056      An Act To Exempt the Sale of Snowmobiles to Nonresidents from Sales Tax      Died Between Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOOD DAVIS	OTP-AM	H-179

This bill establishes an annual \$15 snowmobile trail fund sticker that must be purchased for each snowmobile registered in the State by a nonresident and that is voluntary for residents, the proceeds of which are transferred to the Snowmobile Trail Fund of the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands for snowmobile trail maintenance and grooming.

**Committee Amendment "A" (H-179)**

This amendment replaces the bill and changes the title. It exempts the sales of snowmobiles to nonresidents from sales tax.

**LD 1102      Resolve, Establishing the Commission To Study the Needs, Opportunities and Efficiency Associated with the Production of Salmonid Sport Fish in Maine      Accepted Majority (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLACK SAVIELLO	ONTP OTP	

This resolve creates the Commission to Study the Needs, Opportunities and Efficiency Associated with the Production of Salmonid Sport Fish in Maine. The commission is required to submit its report and any accompanying legislation to the Joint Standing Committee on Inland Fisheries and Wildlife by January 15, 2016.

**LD 1196      An Act To Correct and Clarify Maine's Fish and Wildlife Laws      PUBLIC 301**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS SHAW	OTP-AM	S-267

This bill makes the following changes to the laws governing fish and wildlife.

1. It eliminates the disabled hunter, trapper and angler advisory committee and a reference to that committee.
2. It provides that a person must hold a valid archery hunting license to hunt with a hand-held bow and arrow during any open season on a bird or animal and that a person must hold a valid big game archery license or big game hunting license and a valid crossbow hunting license to hunt with a crossbow during any open season on a bird or animal.
3. It enacts in the statutes certain requirements regulating the use of crossbows and eliminates the maximum draw