

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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STATE OF MAINE

127TH LEGISLATURE

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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

animal.

3. It enacts in the statutes certain requirements regulating the use of crossbows and eliminates the maximum draw weight for crossbows of 200 pounds.
4. It amends the supervisory requirements for apprentice hunter licenses and apprentice trapper licenses. It specifies that the holder of an apprentice hunter license must hunt in the presence of a person who is 18 years of age or older and who holds a valid adult hunting license and specifies that the holder of an apprentice trapper license must trap in the presence of a person that has held a valid adult trapper license for the prior three years.
5. It specifies that a nonresident junior hunting license includes all permits, stamps and other permissions needed to hunt at no additional cost.
6. It corrects cross-references to statutory provisions that authorize the taking of wildlife that attack domestic animals, destroy property or cause damage to crops or orchards.
7. It eliminates language imposing a five percent surcharge on agents who fail to pay the amount owed the State for watercraft registration, snowmobile registration and all-terrain vehicle registration.
8. It repeals the provision of current law that prohibits a person from operating an all-terrain vehicle on a private road after being forbidden to do so by the owner or a municipal official.
9. It creates the Camp North Woods program to provide outdoor learning opportunities to youth and creates the Camp North Woods fund.
10. It prohibits possession of wild animals or wild birds that a person does not possess by lawful means.
11. It stipulates that if a person hunts with a crossbow that does not meet certain requirements, that person commits a Class E crime.
12. It prohibits the exchange of a moose permit for any consideration other than another moose permit.
13. It imposes certain requirements for hunting deer, bear or moose with bow and arrow and firearms and prohibits the use of medicinal, poisonous or stupefying substances as bait.
14. It provides that an ice shack must be removed from a body of water upon the earlier of the date of ice out or three days after the close of ice fishing season.
15. It creates a public records exception for information concerning the location of a threatened or endangered species.
16. It increases the minimum amount of damage to watercraft that requires reporting to the Commissioner of Inland Fisheries and Wildlife from \$1,000 in current law to \$2,000.

LD 1202

Resolve, To Ensure the Stocking of Inland Waters in the State

RESOLVE 53

Sponsor(s)

DAVIS
SHORT

Committee Report

OTP-AM

Amendments Adopted

S-171

Joint Standing Committee on Inland Fisheries and Wildlife

This resolve allows the Department of Inland Fisheries and Wildlife to spend up to \$200,000 from the department's carrying account during the 2016-2017 biennium to purchase fish to stock the inland waters of the State.

Committee Amendment "A" (S-171)

This amendment increases the amount the Department of Inland Fisheries and Wildlife may spend from the department's carrying account during fiscal year 2015-16 for fish stocking purposes from \$200,000, as in the resolve, to \$700,000 and authorizes the department to use that money:

1. To contract for an engineering study to upgrade the Grand Lake Stream Fish Hatchery. The study must include an analysis of the feasibility and cost of a new cold water supply to that hatchery to raise fall yearly brook trout;
2. To contract for an engineering study for the construction of a new fish hatchery in the State. The study must include a comparative analysis on whether the State can best achieve its fish stocking objectives through the construction of a new fish hatchery or through upgrades to existing state-owned fish hatcheries; and
3. To use any remaining funds to purchase fish to stock the inland waters of the State.

This amendment also requires the Department of Inland Fisheries and Wildlife to submit a report, including any findings and recommendations, to the Joint Standing Committee on Inland Fisheries and Wildlife by February 1, 2016.

Enacted Law Summary

Resolve 2015, chapter 53 authorizes the Department of Inland Fisheries and Wildlife to spend up to \$700,000 from the department's carrying account during the 2016-2017 biennium to purchase fish to stock the inland waters of the State. It also authorizes the department to use that money:

1. To contract for an engineering study to upgrade the Grand Lake Stream Fish Hatchery. The study must include an analysis of the feasibility and cost of a new cold water supply to that hatchery to raise fall yearly brook trout;
2. To contract for an engineering study for the construction of a new fish hatchery in the State. The study must include a comparative analysis on whether the State can best achieve its fish stocking objectives through the construction of a new fish hatchery or through upgrades to existing state-owned fish hatcheries; and
3. To use any remaining funds to purchase fish to stock the inland waters of the State.

Resolve 2015, chapter 53 requires the Department of Inland Fisheries and Wildlife to submit a report, including any findings and recommendations, to the Joint Standing Committee on Inland Fisheries and Wildlife by February 1, 2016.

LD 1225 An Act Concerning Swim Area Permits

PUBLIC 252

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHAW DAVIS	OTP-AM OTP-AM	H-307

This bill provides that a person may not establish or maintain a swim line or a developed swim area unless the length of the developed swim area or of the area delineated by a swim line is equal to or less than 50 percent of the entire length of the shore frontage of the property from which the developed swim area or the area delineated by a swim line extends or 200 feet, whichever is greater. The length of a developed swim area or of an area delineated by a swim line is measured parallel to the shore. The length of the swim line will determine where a line, rope or