

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.

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 FINAL 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 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 1321 An Act To Expand the Landowner Relations Program at the Department of Inland Fisheries and Wildlife

PUBLIC 277

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ESPLING	OTP-AM ONTP	H-348

This bill amends the landowner relations program within the Department of Inland Fisheries and Wildlife by adding to the program the requirement that the Commissioner of Inland Fisheries and Wildlife establish an ongoing relationship with various outdoor recreationists and the nonprofit organizations representing these outdoor recreationists, and must provide ongoing education to these groups and individuals about good landowner relations.

The bill gives the Commissioner of Inland Fisheries and Wildlife, instead of the Governor, authority to appoint board members for the Landowners and Sportsmen Relations Advisory Board, and it reduces the size and membership of the board and expands the board's duties to include an annual stakeholder meeting and an annual reporting requirement.

This bill also directs the Commissioner of Inland Fisheries and Wildlife to establish a Keep Maine Clean program to recruit volunteers to pick up trash along roadsides, fields and forests while they are walking, hiking, fishing and otherwise enjoying public and private lands.

Committee Amendment "A" (H-348)

The bill amends the landowner relations program within the Department of Inland Fisheries and Wildlife by adding to the program the requirement that the Commissioner of Inland Fisheries and Wildlife establish an ongoing relationship with various outdoor user groups. This amendment, which is the majority report of the committee, removes that requirement.

The amendment also amends the Keep Maine Clean program established in the bill to remove the requirement that volunteers be recruited to pick up trash along roadways.

The amendment provides that any money received by the Commissioner of Inland Fisheries and Wildlife for the Keep Maine Clean program must be deposited in the Landowner Relations Fund.

Enacted Law Summary

Public Law 2015, chapter 277 gives the Commissioner of Inland Fisheries and Wildlife, instead of the Governor, authority to appoint board members for the Landowners and Sportsmen Relations Advisory Board, and it reduces the size and membership of the board and expands the board's duties to include an annual stakeholder meeting and an annual reporting requirement. It also directs the Commissioner of Inland Fisheries and Wildlife to establish a Keep Maine Clean program to recruit volunteers to pick up trash in fields and forests while they are walking, hiking, fishing and otherwise enjoying public and private lands and further provides that any money received by the Commissioner of Inland Fisheries and Wildlife for the program must be deposited in the Landowner Relations Fund.

LD 1369 An Act To Restructure the Permitting Process for Wildlife and Exotic Species in Captivity

PUBLIC 374

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS	OTP-AM OTP-AM	S-282

Joint Standing Committee on Inland Fisheries and Wildlife

This bill does the following.

1. It repeals the section of law that provides for an importation permit for wildlife and exotic species and amends the section of law regarding permits for the possession of wildlife in captivity to include importation.
2. It provides for an application fee and amends the permit fees.
3. It provides that the Commissioner of Inland Fisheries and Wildlife may grant permits to introduce, import, transport, receive or possess fish or gametes and must maintain a list of unregulated fish and wildlife species that is available to the public.
4. It directs the Department of Inland Fisheries and Wildlife to amend its rules to maintain an updated inspection provisions for applicants attempting to acquire a permit to possess or introduce, import and possess fish or wildlife in captivity; maintain a fee structure to establish fees for inspection provisions for regulated species; provide a process that allows authorized independent contractors to meet with permit applicants to educate applicants on minimum standard facility requirements and to inspect current facilities to recommend approval or denial of a permit; and to charge a responsible party for the cost incurred to remove or euthanize unpermitted regulated fish or wildlife species.
5. It adds educational purposes to the purposes for which the commissioner may issue permits to hunt, trap, possess, band and transport wild animals and wild birds. Current law provides that such permits may be issued for scientific purposes.

Committee Amendment "A" (S-282)

This amendment, which is the majority report of the committee, does the following.

1. It increases the penalty for keeping wildlife in captivity in violation of law to not less than \$500.
2. It clarifies that the Department of Inland Fisheries and Wildlife may seize fish or wildlife unlawfully kept in captivity for which a permit is required and may recover costs incurred to remove or euthanize seized wildlife.
3. It provides that the department may charge a \$25 late fee to a person who does not renew a permit to keep wildlife in captivity before the permit expires.
4. It provides that a person may be issued a permit for an additional fee of \$500 to keep wildlife in captivity after the person has already kept that wildlife in captivity.
5. It creates separate application and permit fees for importation and possession of wildlife in captivity. The bill creates one permit and fee schedule for both importation and possession.

Committee Amendment "B" (S-283)

This amendment, which is the minority report of the committee, increases the penalty for keeping wildlife in captivity in violation of law to not less than \$500. This amendment clarifies that the Department of Inland Fisheries and Wildlife may seize fish or wildlife unlawfully kept in captivity for which a permit is required and may recover costs incurred to remove or euthanize seized wildlife. It provides that the department may charge a \$25 late fee to a person who does not renew a permit to keep wildlife in captivity before the permit expires. It provides that a person may be issued a permit for an additional fee of \$500 to keep wildlife in captivity after the person has already kept that wildlife in captivity. It creates separate application and permit fees for importation and possession of wildlife in captivity; the bill creates one permit and fee schedule for both importation and possession. It provides that the Commissioner of Inland Fisheries and Wildlife must adopt rules limiting the number of animals that may be imported or possessed under a permit before an additional permit is required.

Joint Standing Committee on Inland Fisheries and Wildlife

Enacted Law Summary

Public Law 2015, chapter 374 does the following regarding wildlife and exotic species kept in captivity.

1. It repeals the section of law that provides for an importation permit for wildlife and exotic species and amends the section of law regarding permits for the possession of wildlife in captivity to include importation.
2. It clarifies that the Department of Inland Fisheries and Wildlife may seize fish or wildlife unlawfully kept in captivity for which a permit is required and may recover costs incurred to remove or euthanize seized wildlife.
3. It creates separate application and permit fees for importation and possession of wildlife in captivity.
4. It provides that the Commissioner of Inland Fisheries and Wildlife may grant permits to introduce, import, transport, receive or possess fish or gametes and must maintain a list of unregulated fish and wildlife species that is available to the public.
5. It directs the Department of Inland Fisheries and Wildlife to amend its rules to maintain an updated inspection provisions for applicants attempting to acquire a permit to possess or introduce, import and possess fish or wildlife in captivity; maintain a fee structure to establish fees for inspection provisions for regulated species; provide a process that allows authorized independent contractors to meet with permit applicants to educate applicants on minimum standard facility requirements and to inspect current facilities to recommend approval or denial of a permit; and charge a responsible party for the cost incurred to remove or euthanize unpermitted regulated fish or wildlife species.
6. It adds educational purposes to the purposes for which the commissioner may issue permits to hunt, trap, possess, band and transport wild animals and wild birds. Current law provides that such permits may be issued for scientific purposes.
7. It increases the penalty for keeping wildlife in captivity in violation of law to not less than \$500.
8. It provides that the department may charge a \$25 late fee to a person who does not renew a permit to keep wildlife in captivity before the permit expires.
9. It provides that a person may be issued a permit for an additional fee of \$500 to keep wildlife in captivity after the person has already kept that wildlife in captivity.

LD 1409 An Act To Clarify and Simplify the Licensing and Registration Provisions of the Inland Fisheries and Wildlife Laws

PUBLIC 281

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HILLIARD SAVIELLO	OTP-AM	H-435

This bill amends the inland fisheries and wildlife laws as follows.

1. It provides for the use of electronic licenses and permits.
2. It requires ATV registration numbers to be displayed by means of stickers.
3. It provides that, beginning January 1, 2016, a license holder, including a holder of a complimentary license, who hunts during a special season on deer implemented by the Commissioner of Inland Fisheries and Wildlife to maintain a deer population must be issued one antlerless deer permit and one either-sex permit, which is a new