

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.

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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

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permit title established in the law governing special seasons.

4. It allows holders of junior hunting licenses, after they turn 16 years of age, to hunt pheasants and migratory waterfowl and to hunt with a bow and arrow for the remainder of the calendar year for which their licenses are issued without their having to purchase pheasant permits, migratory waterfowl permits or archery hunting licenses.
5. It removes references to big game licenses, changes references to crossbow and muzzle-loading licenses to crossbow and muzzle-loading permits and clarifies that hunting licenses allow the hunting of all legal species, subject to permit requirements.
6. It amends the license application and testing process for taxidermists to increase the application fee from \$10 to \$50, set the examination fee at \$50, require the examination of all persons who allow their licenses to lapse or who have not held a license within the previous three years, increase the license fee from \$67 to \$77, which is the current renewal fee, and make the license a three-year license.

Committee Amendment "A" (H-435)

This amendment does the following.

1. It removes the requirement in the bill that an antlerless deer permit and either-sex permit be issued to the holder of a complimentary license to hunt, trap or fish.
2. It adds the requirement that the holder of a license under which an antlerless deer permit and either-sex permit are issued must meet the archery hunting license eligibility requirements.
3. It provides that a nonresident junior hunting license includes all authorizations to hunt at no cost in addition to the cost of that license.
4. It alters the issuing schedule for taxidermist licenses to provide for their expiration on December 31st.
5. It makes technical changes to the bill.

Enacted Law Summary

Public Law 2015, chapter 281 does the following.

1. It allows the use of electronic licenses and permits.
2. It requires ATV registration numbers to be displayed by means of stickers.
3. It allows holders of junior hunting licenses, after they turn 16 years of age, to hunt pheasants and migratory waterfowl and to hunt with a bow and arrow for the remainder of the calendar year for which their licenses are issued without their having to purchase pheasant permits, migratory waterfowl permits or archery hunting licenses.
4. It removes references to big game licenses, changes references to crossbow and muzzle-loading licenses to crossbow and muzzle-loading permits and clarifies that hunting licenses allow the hunting of all legal species, subject to permit requirements.
5. It amends the license application and testing process for taxidermists to increase the application fee from \$10 to \$50, set the examination fee at \$50, require the examination of all persons who allow their licenses to lapse or who have not held a license within the previous three years, increase the license fee from \$67 to \$77, which is the current renewal fee, and make the license a three-year license.
6. It requires the holder of a license under which an antlerless deer permit and either-sex permit are issued to meet

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the archery hunting license eligibility requirements.

7. It provides that a nonresident junior hunting license includes all authorizations to hunt at no cost in addition to the cost of that license.

8. It alters the issuing schedule for taxidermist licenses to provide for their expiration on December 31st.

LD 1410 An Act To Strengthen Maine's Fisheries Laws

PUBLIC 298

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS MARTIN R	OTP-AM	S-265

This bill amends and adds definitions in the inland fisheries and wildlife laws. It establishes a reporting requirement for persons licensed to fish for eels, suckers, lampreys or yellow perch. The reported information must be used for scientific purposes and is confidential. It provides for suspension or revocation of a permit for noncompliance with a permit restriction. The bill also repeals a provision of law allowing eel permits to be issued to trappers.

Committee Amendment "A" (S-265)

This amendment clarifies that the holder of an individual permit for harvesting suckers, lampreys or yellow perch may purchase a crew permit that authorizes up to three persons to engage in the permitted activity. The amendment provides that the holder of a smelt or baitfish dealer license may not receive, possess for resale, sell or offer to sell gift baitfish or gift smelts. The amendment also provides that the required report from the holder of a sucker, lamprey or yellow perch permit must be submitted to the Department of Inland Fisheries and Wildlife by December 31st of each year.

Enacted Law Summary

Public Law 2015, chapter 298 does the following.

1. It removes the bridle shiner, longnose dace and creek chubsucker from the definition of "baitfish" and provides definitions for lamprey eel and sucker.
2. It establishes a reporting requirement for persons licensed to fish for eels, suckers, lampreys or yellow perch and provides that the reported information will be used for scientific purposes and is confidential. The report must be filed with the Department of Inland Fisheries and Wildlife no later than December 31st annually.
3. It repeals a provision of law allowing eel permits to be issued to trappers.
4. It clarifies that the holder of an individual permit for harvesting suckers, lampreys or yellow perch may purchase a crew permit that authorizes up to three persons to engage in the permitted activity.
5. It provides that the holder of a smelt or baitfish dealer license may not receive, possess for resale, sell or offer to sell gift baitfish or gift smelts.