

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
128<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 2017

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# STATE OF MAINE

128<sup>TH</sup> 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 128<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.

*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 128<sup>th</sup> Legislature is Wednesday, November 1, 2017. 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 241      An Act To Eliminate the Authority of Game Wardens To Violate the Hunting and Fishing Laws When Carrying Out the Duties of the Department of Inland Fisheries and Wildlife      Leave to Withdraw Pursuant to Joint Rule**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN J JACKSON T		

This bill eliminates the authority of game wardens and other officials with the powers of game wardens to violate the provisions of the Maine Revised Statutes, Title 12, Part 13 in carrying out their duties and powers.

**LD 275      An Act To Expand Disabled Veteran Eligibility for Complimentary Hunting, Fishing and Trapping Licenses      PUBLIC 100**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KINNEY J CHENETTE J	OTP-AM ONTP	H-97

This bill expands eligibility for complimentary hunting, trapping and fishing licenses, including permits, stamps and other permissions necessary to hunt, trap and fish in Maine, to include nonresident disabled veterans who hold valid hunting or fishing licenses in the states in which they are residents.

**Committee Amendment "A" (H-97)**

This amendment, which is the majority report, allows a nonresident veteran with a disability evaluated at 50% or more to obtain at no cost all hunting, trapping and fishing licenses and other provisions in Maine, if the nonresident's state has a reciprocal agreement with Maine. The amendment removes from the bill the requirement that a nonresident veteran hold a valid hunting, trapping or fishing license in the nonresident's state.

**Enacted Law Summary**

Public Law 2017, chapter 100 allows a nonresident veteran with a disability evaluated at 50% or more to obtain at no cost all hunting, trapping and fishing licenses and other provisions in Maine, if the nonresident's state has a reciprocal agreement with Maine.

**LD 276      An Act To Require a Game Warden's Certificate To Kill Wild Animals Causing Damage to Crops or Orchards and Notification to Nearby Residents      Accepted Majority (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIERCE J CYRWAY S	ONTP OTP	

This bill requires the cultivator, owner, mortgagee or keeper of any orchard or growing crop to obtain a certificate from a game warden in order to take or kill wild animals or wild turkeys causing substantial damage to the orchard or crop. The game warden must investigate the circumstances of the application for a certificate and may issue the certificate if the game warden is satisfied that a wild animal or wild turkey is causing substantial damage to an orchard or crop. The certificate must describe the animals that may be taken or killed and the area where the animals may be taken or killed. The certificate holder must notify residents within 1,000 feet of the boundary of the area where the animals may be taken or killed that the certificate holder is authorized to take or kill those animals in

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

that area.

**LD 277      An Act Regarding the Use of Helmets by Minors Riding in an All-terrain Vehicle with an Adult      ONTP**

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

This bill provides an exemption to the requirement that a passenger under 18 years of age on an all-terrain vehicle wear protective headgear. The bill allows a parent, grandparent or legal guardian of a passenger to operate an all-terrain vehicle while the passenger on that all-terrain vehicle is not wearing protective headgear when the passenger is under eight years of age and is riding directly adjacent to the operator on an all-terrain vehicle with side-by-side seating.

**LD 278      An Act To Amend the Hunting Laws as They Pertain to the Training of Dogs      Accepted Majority (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALLEY R MAKER J	ONTP OTP	

This bill removes the prohibition on training hunting dogs on bear in those portions of Washington County and Hancock County that are situated south of Route 9.

**LD 279      An Act To Give Veterans Priority in the Issuance of Antlerless Deer Permits      ONTP**

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

This bill requires an antlerless deer permit system adopted by the Commissioner of Inland Fisheries and Wildlife to give priority in the issuance of a permit to a veteran who was honorably discharged from the Armed Forces of the United States or the National Guard.

**LD 305      An Act To Increase the Penalty for Allowing Wildlife in Captivity To Escape in Violation of a Permit Requirement      PUBLIC 285**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CYRWAY S HANINGTON S	OTP-AM ONTP	S-284

This bill provides that a permit is required to import exotic wildlife into or possess wildlife in the State or receive exotic wildlife. The Commissioner of Inland Fisheries and Wildlife is required to adopt rules that specify the criteria for issuing such a permit. The bill allows the commissioner to adopt rules to require permitted exotic wildlife to carry or be embedded with a tracking device. The bill requires the holder of a permit for exotic wildlife to provide notice to the Department of Inland Fisheries and Wildlife, Bureau of Warden Service and all landowners within the range of travel of the wildlife in the event of an escape of the wildlife.