

# 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**

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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 630 An Act To Expand Opportunities for Moose Permit Winners To Swap Their Permits**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN D CYRWAY S		

This bill repeals the prohibition on the exchange for consideration of a moose permit in a designated hunting area, zone or season for another moose permit in a different designated hunting area, zone or season. The bill requires the Department of Inland Fisheries and Wildlife to establish an online transfer system for moose permits through which transfers of designated hunting areas, zones or seasons may be accomplished.

**Committee Amendment "B" (H-313)**

This amendment, the minority report of the committee, replaces the bill. Like the bill, the amendment repeals the prohibition on transferring a moose permit for consideration, but, unlike the bill, the amendment does not direct the Department of Inland Fisheries and Wildlife to establish an online transfer system for permits. This amendment clarifies that the Department of Inland Fisheries and Wildlife may assist in the transfer of a permit to hunt in any assigned hunting area, zone or season between persons holding permits but that the State bears no responsibility for enforcing the terms of the exchange between the permit holders.

This amendment was not adopted.

**Committee Amendment "A" (H-312)**

This amendment, the majority report of the committee, replaces the bill. The bill repeals the prohibition on transferring a moose permit for consideration and directs the Department of Inland Fisheries and Wildlife to establish an online transfer system for permits. The amendment removes the provision of the bill that directs the department to establish an online transfer system for permits, but, like the bill, the amendment repeals the prohibition on transferring moose permits for consideration. This amendment prohibits persons other than the holders of moose permits who are exchanging hunting zones, areas or seasons to facilitate the exchange for any consideration. The amendment establishes that a person who facilitates an exchange of moose permits commits a Class E crime. The amendment clarifies that the State bears no responsibility for enforcing the terms of an exchange between the permit holders.

This amendment was not adopted.

This bill was reported out of committee then recommitted to the committee; it was then carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

**LD 631 An Act To Require an Operator of an All-terrain Vehicle Driven on Certain Roads To Have a Driver's License and Liability Insurance**

**Accepted Majority (ONTP) Report**

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

This bill requires an operator of an all-terrain vehicle who travels more than 500 yards on a public way designated as an ATV-access route to possess a valid driver's license and motor vehicle liability insurance for the ATV.

**Committee Amendment "A" (H-120)**

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

This amendment is the minority report of the committee. The amendment clarifies provisions of law to reflect that a driver's license is required to operate an all-terrain vehicle or off-road vehicle on a way designated as an ATV-access route as provided in the bill.

This amendment was not adopted.

**LD 632      *Resolve, To Recognize and Provide for the Right of Members of the Houlton Band of Maliseet Indians To Hunt Moose throughout Aroostook County*      Accepted Majority (ONTP) Report**

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

This resolve directs the Commissioner of Inland Fisheries and Wildlife to allocate 25 moose permits for the 2017 hunting season that may be used throughout Aroostook County to the Houlton Band of Maliseet Indians to be issued by the Houlton Band of Maliseet Indians Tribal Council to members of the tribe who have received tribal moose permits.

**Committee Amendment "A" (H-310)**

This amendment, which is the minority report of the committee, removes the preamble in the resolve, changes the title and provides that the 25 moose permits allocated to the Houlton Band of Maliseet Indians may be used only in areas of Aroostook County open to moose hunting under rules adopted by the Commissioner of Inland Fisheries and Wildlife.

This amendment was not adopted.

**LD 693      *An Act To Clarify the Laws Governing Hunting from a Vehicle*      PUBLIC 176**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STETKIS J DAVIS P	OTP-AM ONTP	H-349

This bill explicitly restricts the application of the law prohibiting shooting from motor vehicles and motorboats to shooting while hunting.

**Committee Amendment "A" (H-349)**

This amendment replaces the bill. The amendment prohibits a person, while hunting, from shooting a firearm or crossbow while in or on a motor vehicle other than an ATV or snowmobile and possessing a loaded firearm or a crossbow in a motor vehicle other than an ATV or snowmobile or while in or on a trailer or another vehicle being hauled by a motor vehicle, except that a person may rest a loaded firearm or crossbow that is under the person's control on a motor vehicle other than an ATV or snowmobile as long as the motor vehicle is not moving and its engine is off. The amendment prohibits a person from shooting while in an enclosed area or passenger compartment of an ATV or snowmobile, but allows a person to shoot a firearm or crossbow from or rest a loaded firearm or crossbow on the ATV or snowmobile when the ATV or snowmobile is not in motion and its engine is off. The amendment also provides that a person who is target shooting and not within an enclosed area or passenger compartment of a motor vehicle, trailer or other vehicle being hauled by a motor vehicle may shoot a firearm or crossbow when the motor vehicle, trailer or other type of vehicle is not in motion and the engine is not running.

**Enacted Law Summary**