

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH 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

128TH 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 128th 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 128th 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

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 Accepted Majority
Houlton Band of Maliseet Indians To Hunt Moose throughout (ONTP) Report
Aroostook County**

<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

Joint Standing Committee on Inland Fisheries and Wildlife

Public Law 2017, chapter 176 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. Public Law 2017, chapter 176 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. Public Law 2017, chapter 176 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.

LD 694 An Act To Create a Local Option for a Sunday Exception Allowing Deer Hunting with Rifles **Accepted Majority (ONTP) Report**

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

This bill allows a person who possesses a valid hunting license to possess hunting equipment and to hunt deer during the regular deer hunting season described under the Maine Revised Statutes, Title 12, section 11401, subsection 1, paragraph A, when hunters hunt with rifles, on Sunday on property that is located in a municipality, a plantation or the unorganized territory of a county that has successfully petitioned the Commissioner of Inland Fisheries and Wildlife to allow hunting on Sunday as long as the person has obtained and is carrying the property owner's written consent to hunt with a map of the property. The bill allows a municipality, plantation or county with regard to its unorganized territory to petition the Commissioner of Inland Fisheries and Wildlife to allow hunting on Sunday in its territory. The bill also repeals these provisions on December 1, 2021.

Committee Amendment "A" (H-311)

The bill allows, with certain restrictions, any person to hunt on Sunday. This amendment, which is the minority report of the committee, replaces the bill and directs the Commissioner of Inland Fisheries and Wildlife to establish annual youth bear, deer, wild turkey and migratory waterfowl hunting weekends. A person who holds a valid junior hunting license may hunt on Sunday with the written permission of the landowner. The person must have in the person's possession the written permission of the landowner.

This amendment was not adopted.

LD 695 An Act To Double the Number of Moose Permits Available for Auction by Conservation Organizations **Accepted Majority (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN D JACKSON T	ONTP OTP	

This bill doubles the number of moose permits for auction by conservation organizations from 10 permits to 20 permits and directs the Commissioner of Inland Fisheries and Wildlife to disburse at least 50% of the revenue from the auction to conservation organizations for the purpose of operating youth day camps.