

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH LEGISLATURE
FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



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

128TH LEGISLATURE

FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contain summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Special, Second Regular and Second Special Sessions 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 dates for non-emergency legislation enacted in the First Special, Second Regular or Second Special Sessions of the 128th Legislature are: Monday, February 5, 2018; Wednesday, August 1, 2018; and Thursday, December 13, 2018, respectively. 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

exchanging 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 exchanging 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. 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.

Enacted Law Summary

Public Law 2017, chapter 379 repeals the prohibition on exchanging moose permits between permit holders for consideration. Public Law 2017, chapter 379 clarifies that the State bears no responsibility for enforcing the terms of the exchange between the permit holders. Public Law 2017, chapter 379 also prohibits persons other than the holders of moose permits who are exchanging those permits from facilitating the exchange for consideration and defines "facilitate for consideration" to mean to directly receive compensation or something of value solely as part of the exchange of moose permits. Public Law 2017, chapter 379 establishes that a person who facilitates for consideration an exchange of moose permits commits a Class E crime.

LD 768

An Act To Simplify Nonresident Hunting and Fishing Licenses

PUBLIC 427

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------------|-------------------------|---------------------------|
| HILLIARD G MIRAMANT D | OTP-AM ONTP | H-615 H-803 HARLOW D |

This bill was carried over from the First Regular Session to the Second Regular Session of the 128th Legislature and then carried over to the Second Regular Session on the Special Appropriations Table. This bill was again carried over, still on the Special Appropriations Table, from the Second Regular Session to the next special session by joint order S.P. 748.

This bill establishes resident and nonresident comprehensive hunting licenses that allow hunting of all legal species subject to the moose, pheasant, migratory waterfowl, special season deer and antlerless deer permit requirements. The fee for the resident comprehensive hunting license is \$38 and the fee for the nonresident comprehensive hunting license is \$143. The bill also establishes resident and nonresident comprehensive combination hunting and fishing licenses that allow fishing and hunting of all legal species, subject to the moose, pheasant, migratory waterfowl, special season deer and antlerless deer permit requirements. The fee for the resident comprehensive combination hunting and fishing license is \$55 and the fee for the nonresident comprehensive combination hunting and fishing license is \$178. The bill establishes January 1, 2018 as the effective date of these licenses.

This bill eliminates all alien licenses and permits and allows persons who are not citizens to purchase nonresident licenses and permits if they are not considered residents.

This bill allows the Commissioner of Inland Fisheries and Wildlife or a clerk or other agent appointed by the commissioner who issues licenses to inquire of a license applicant which species the applicant intends to hunt under the license and limit the license to the species specified. A license with this limitation must clearly indicate the limitation.

Committee Amendment "A" (H-615)

This amendment, which is the majority report of the committee, removes the provisions of the bill that establish comprehensive hunting licenses and comprehensive combination hunting and fishing licenses. The amendment also

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eliminates the provisions of the bill that allow the Commissioner of Inland Fisheries and Wildlife or a clerk or other agent appointed by the commissioner to inquire of a license applicant which species the applicant intends to hunt under the license and to limit the license to the species specified.

The amendment retains the provisions of the bill that eliminate all alien licenses and permits and that allow persons who are not citizens to purchase nonresident licenses and permits if they are not considered residents.

The amendment adds an effective date of January 1, 2019.

House Amendment "A" To Committee Amendment "A" (H-803)

This amendment provides that a nonresident who is not a citizen of the United States is eligible to purchase only a nonresident trapping license for beaver.

Enacted Law Summary

Public Law 2017, chapter 427 eliminates all alien licenses and permits and allows persons who are not citizens to purchase nonresident licenses and permits if they are not considered residents. Public Law 2017, chapter 427 provides that a nonresident who is not a citizen of the United States is eligible to purchase only a nonresident trapping license for beaver. Public Law 2017, chapter 427 has an effective date of January 1, 2019.

LD 843 An Act To Adjust the Formula for Calculating the Allocation of Moose Permits for Hunting Lodges PUBLIC 458

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| STANLEY S | OTP-AM ONTP | H-217 |

This bill was reported out of committee in the First Regular Session of the 128th Legislature and then carried over to the Second Regular Session on the Special Appropriations Table. This bill was again carried over, still on the Special Appropriations Table, from the Second Regular Session to the next special session by joint order S.P. 748.

This bill amends the law regarding the number of moose permits made available through a chance drawing to hunting outfitters, which is currently calculated as 10% of the number of permits made available in the public chance drawing above 3,140. The bill sets the number of moose permits made available to hunting outfitters at 10% of the number of permits in excess of the average number of permits made available in the public chance drawing per year since 1982 or 100, whichever is greater.

Committee Amendment "A" (H-217)

This amendment replaces the bill. The amendment reduces the number of moose hunting permits that may be issued to nonresidents from 10% to 8% and allows up to 2% of moose hunting permits to be issued to hunting outfitters instead of basing the number of permits issued to hunting outfitters upon the number of permits available over 3,140, which is the current law.

Enacted Law Summary

Public Law 2017, chapter 458 reduces the number of moose hunting permits that may be issued to nonresidents from 10% to 8% and allows up to 2% of moose hunting permits to be issued to hunting outfitters instead of basing the number of permits issued to hunting outfitters upon the number of permits available over 3,140, which was the law prior to enactment of Public Law 2017, chapter 458.