

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON
INLAND FISHERIES AND WILDLIFE**

August 2019

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129TH 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 129th 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 129th Legislature is Thursday, September 19, 2019. 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

3. It Modifies the provision relating to the removal of ice fishing shacks to provide that. In those portions of the State where the ice fishing season has a closed season, the current law applies, which requires removal before ice out or three days after the close of the season, whichever is earlier; and in those portions of the State where there is no closed season, removal must be by ice out or March 31st, whichever is earlier.

Enacted Law Summary

Public Law 2019, chapter 325 changes the inland fisheries and wildlife laws to:

1. Define the terms "crossbow" and "hand-held bow" or "bow;"
2. Specify that lifetime license holders must meet eligibility requirements for hunting with bows and crossbows;
3. Make technical and grammatical corrections to the law regarding having a loaded firearm or crossbow in a motor vehicle or hunting or shooting from a motor vehicle or motorboat;
4. Repeal outdated language regarding carrying a handgun during the regular archery-only season on deer;
5. Clarify that it is only beaver, and no other species, that may be trapped by the holder of a nonresident trapping license who is not a citizen of the United States;
6. Require the court to impose a fine of \$20 for each quart of smelts rather than for each fish unlawfully possessed over the limit adopted by the Commissioner of Inland Fisheries and Wildlife by rule; and
7. Require, in those portions of the State where the ice fishing season has a closed season, the removal of any shack or temporary structure used for ice fishing before ice out or three days after the close of the season, whichever is earlier; and in those portions of the State where there is no closed season, removal must be by ice out or March 31st, whichever is earlier.

LD 1740 An Act To Clarify Inland Fisheries and Wildlife Laws Regarding Boating and Hunting Licensing

PUBLIC 324

Sponsor(s)

MARTIN D

Committee Report

OTP-AM

Amendments Adopted

H-491

This bill changes the term "adult supervisor" to "apprentice supervisor" in the law governing apprentice hunter license restrictions. It eliminates the threshold prohibiting persons younger than 18 years of age from transferring a valid antlerless deer permit to a junior hunter. It repeals the provision requiring the Commissioner of Inland Fisheries and Wildlife to designate locations where guide license examinations will be held. It also removes the requirement that a license must be obtained from the Department of Inland Fisheries and Wildlife to operate a motorboat carrying passengers for hire and instead requires proof of successful completion of a boater safety education course approved by a national association of state boating law administrators.

Committee Amendment "A" (H-491)

This amendment:

1. Changes the term for the person supervising an apprentice hunter to "youth hunter supervisor"; and
2. Removes the portion of the bill that repeals the provision of law requiring the Commissioner of Inland Fisheries and Wildlife to designate locations where the guide license examination is to be held and to hold the examination in one of the Department of Inland Fisheries and Wildlife regions if at least 10 applicants reside in that region.

Joint Standing Committee on Inland Fisheries and Wildlife

Enacted Law Summary

Public Law 2019, chapter 324 changes the term for the person supervising an apprentice hunter to "youth hunter supervisor" in the law governing apprentice hunter license restrictions. It eliminates the threshold prohibiting persons younger than 18 years of age from transferring a valid antlerless deer permit to a junior hunter. It removes the requirement that a license must be obtained from the Department of Inland Fisheries and Wildlife to operate a motorboat carrying passengers for hire and instead requires proof of successful completion of a boater safety education course approved by a national association of state boating law administrators.

LD 1787 An Act To Clarify and Enhance Fish and Wildlife Enforcement Laws CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DILL J	OTP-AM	S-315

This bill makes several changes to the State's fish and wildlife enforcement laws. The bill:

1. Makes it illegal for nonviolent juvenile offenders and persons convicted of domestic violence to possess a firearm hunting license. It also prohibits a person convicted of a domestic violence offense from owning or possessing a crossbow, a muzzleloader or archery or airbow equipment;
2. Provides that a person is guilty of aggravated trafficking in a scheduled drug if the person is convicted of trafficking while in an area open to fishing for only persons under 16 years of age or complimentary fishing license holders;
3. Requires all edible meat from bear, deer and moose to be presented for registration with evidence of sex;
4. Clarifies that a person's hunting license will be revoked if the person is convicted of night hunting while in possession of a thermal imaging device;
5. Amends the definition of "owner" for the purpose of registration of a snowmobile, watercraft and all-terrain vehicle;
6. Provides for penalties for bag limit and possession limit violations for individual upland game species as established by the commissioner;
7. Clarifies the time limit to register a bear, deer, moose or wild turkey;
8. Clarifies that bear fat not attached to the meat can legally be used for personal or commercial use without a hide dealer's license;
9. Provides for restitution of expenses incurred as a result of scientific testing to enhance investigation procedures;
10. Clarifies that a person may not take or possess reptiles or amphibians from the wild for export, sale or commercial purposes;
11. Strengthens the prohibition of abuse of another person's property by removing reference to certain stated activities such as hunting, fishing or trapping to allow the Department of Inland Fisheries and Wildlife to enforce the law against persons who abuse another person's property but who may not be involved in an activity such as hunting, fishing or trapping; and