

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
129<sup>TH</sup> LEGISLATURE  
FIRST SPECIAL AND SECOND REGULAR SESSIONS



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

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

November 2020

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# STATE OF MAINE

129<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



## 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 129<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 129<sup>th</sup> 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*

12. Replaces the prohibition on operating a motorboat that exceeds noise limits with a prohibition on operating a marine engine that exceeds noise limits.

**Committee Amendment "A" (S-315)**

This amendment does the following:

1. Removes language in the bill regarding restitution to a landowner whose property is damaged because that remedy is already available under the Maine Revised Statutes, Title 17-A, chapter 69.
2. Reallocates the section of the bill regarding penalties for bag limit and possession limit violations for upland game to the chapter that is specific to hunting.
3. Removes the section of the bill that prohibits a person convicted of domestic violence from owning or possessing a crossbow, a muzzleloader or archery or airbow equipment.
4. Reallocates the bill's provision in the law governing aggravated trafficking of scheduled drugs and specifies that the property on which the offense occurs is designated by the Department of Inland Fisheries and Wildlife in rules as open to fishing for only persons under 16 years of age or persons holding a complimentary fishing license.

The bill was carried over on the Special Appropriations Table to any special session of the 129th Legislature by joint order, S.P. 788.

**LD 1804 An Act Regarding the Baiting of Deer**

**PUBLIC 630**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVISP	OTP-AM	S-417

This bill was carried over in committee from the First Regular Session of the 129th Legislature by joint order, H.P. 1322.

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to make changes to the laws regarding the baiting of deer.

**Committee Amendment "A" (S-417)**

This amendment replaces the bill, which is a concept draft. The amendment changes the penalty from a Class E crime to a civil violation for which a fine of not less than \$500 nor more than \$1,000 may be adjudged for the following violations:

1. Placing salt or any other bait or food to entice deer from June 1st to the start of an open hunting season on deer and, if all open hunting seasons on deer are closed before December 15th, from the close of the last open hunting season on deer to December 15th.
2. Hunting from an observation stand or blind overlooking salt, grain, fruit, nuts or other foods known to be attractive to deer during an open hunting season on deer.

For consistency in language, the amendment makes a technical change to the provision regarding license revocation for hunting deer over bait to clarify that the revocation commences on the date of adjudication. Nothing in the amendment impedes the authority of the Commissioner of Inland Fisheries and Wildlife to suspend or impose penalties for violations of laws regarding the placing of bait for the purpose of enticing deer or regarding the

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hunting of deer overbait.

**Enacted Law Summary**

Public Law 2019, chapter 630, changes the penalty from a Class E crime to a civil violation for which a fine of not less than \$500 nor more than \$1,000 for the following violations:

1. Placing salt or any other bait or food to entice deer from June 1st to the start of an open hunting season on deer and, if all open hunting seasons on deer are closed before December 15th, from the close of the last open hunting season on deer to December 15th; and
2. Hunting from an observation stand or blind overlooking salt, grain, fruit, nuts or other foods known to be attractive to deer during an open hunting season on deer.

Additionally, the commissioner may revoke licenses based on the date of adjudication of a violation. Public Law 2019, chapter 630 does not impede the authority of the Commissioner of Inland Fisheries and Wildlife to suspend or impose penalties for violations of laws regarding the placing of bait for the purpose of enticing deer or regarding the hunting of deer over bait.

**LD 1905    An Act To Clarify Crossbow-related Hunting Laws**

**PUBLIC 637  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THERIAULT T	OTP-AM	H-746

This bill allows a person 65 years of age or older and, under certain circumstances, a person with a permanent physical disability to take an antlerless deer with a crossbow without an antlerless deer permit during the open archery season on deer.

**Committee Amendment "A" (H-746)**

This amendment clarifies the bill to state that hunting an antlerless deer with a crossbow may occur with the requisite permit only during the archery-only hunting season on deer. The amendment also adds that a person 65 years of age or older must complete a hunter safety course or show satisfactory evidence of having previously held a license to hunt with firearms in this or another state in order to apply for a permit to take an antlerless deer with a crossbow. Additionally, the amendment makes a technical correction by replacing "crossbow hunting license" with "crossbow permit."

The amendment also creates new requirements for crossbow hunter education. The amendment requires that an applicant for a permit to hunt with a crossbow must provide evidence of completion of an archery hunting education program or a hunter safety course, in addition to evidence of a crossbow hunting education program or an equivalent as determined by the Commissioner of Inland Fisheries and Wildlife.

**Enacted Law Summary**

Public Law 2019, chapter 637 provides that a person 65 years of age or older, who has either successfully completed a hunter safety course or has previously held a license to hunt with firearms in any state, and a person with a permanent physical disability, may take an antlerless deer with a crossbow without an antlerless deer permit during the open archery season on deer. The law also creates new requirements for crossbow hunter education and requires that an applicant for a permit to hunt with a crossbow must provide evidence of completion of an archery hunting education program or a hunter safety course, in addition to evidence of a crossbow hunting education program or an equivalent as determined by the commissioner.