

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH 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

129TH 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 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

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.

Joint Standing Committee on Inland Fisheries and Wildlife

Public Law 2019, chapter 637 was enacted as an emergency measure effective March 18, 2020.

LD 1920 An Act To Amend Maine's Fish and Wildlife Licensing and Registration Laws PUBLIC 638

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NADEAUC	OTP	

This bill:

1. Amends the law governing the complimentary license package for a person who has lost, or who has permanently lost the use of, both lower extremities to provide that such a person may, upon application, at no cost, obtain all hunting, trapping and fishing licenses, including permits, stamps and other permission needed to hunt, trap and fish;
2. Provides the commissioner authority to defer a moose permit for one season when a moose permit holder or immediate family member has a significant medical illness; and
3. Exempts from the State's lake and river protection sticker requirement New Hampshire watercraft and seaplanes operating on interstate waters between Maine and New Hampshire as long as New Hampshire reciprocates.

Enacted Law Summary

Public Law 2019, chapter 638 amends the law governing the complimentary licenses for a person who has lost, or who has permanently lost the use of, both lower extremities to provide that such a person may, upon application and at no cost, obtain all hunting, trapping and fishing licenses, including permits, stamps and other permission needed to hunt, trap and fish. The law grants the commissioner authority to defer a moose permit for one season when a moose permit holder or immediate family member has a significant medical illness. The law also exempts from the State's lake and river protection sticker requirement New Hampshire watercraft and seaplanes operating on interstate waters between Maine and New Hampshire as long as New Hampshire reciprocates.

LD 1921 An Act To Clarify and Enhance Maine's Fish and Wildlife Laws PUBLIC 639

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN J	OTP-AM	H-721

This bill makes the following changes to the laws governing inland fisheries and wildlife.

1. It waives the seven-day notice requirement for meetings of the Inland Fisheries and Wildlife Advisory Council in cases of emergency rulemaking.
2. It changes the name of the supervisor of an apprentice hunter from a youth hunter supervisor to an apprentice supervisor and changes the name of the supervisor of a junior hunter from an adult supervisor to a junior hunter supervisor.
3. It removes two cross-references in the laws governing permits to possess wildlife in captivity.