

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

Committee Amendment "A" (H-721)

This amendment changes the term that refers to the person who supervises a junior trapper from "adult trapper supervisor" to "junior trapper supervisor."

The amendment clarifies that a person 16 years of age who obtained a junior trapping license before that person reached 16 years of age must either successfully complete a trapper education course prior to trapping or be supervised by a junior trapper supervisor while trapping after the person turns 16 years of age.

Additionally, the amendment changes a statutory reference to the hunter safety course a junior hunter is required to complete if not supervised by a junior hunter supervisor.

Enacted Law Summary

Public Law 2019, chapter 639 redefines the term that refers to the person who supervises a junior 18 trapper from "adult trapper supervisor" to "junior trapper supervisor." It also clarifies that a person 16 years of age who obtained a junior trapping license before that person reached 16 years of age must either successfully complete a trapper education course prior to trapping or be supervised by a junior trapper supervisor while trapping after the person turns 16 years of age. Additionally, Public Law 2019, chapter 639 changes a statutory reference to the hunter safety course a junior hunter is required to complete if not supervised by a junior hunter supervisor and waives the seven-day notice requirement for meetings of the Inland Fisheries and Wildlife Advisory Council in cases of emergency rulemaking.

LD 1932 An Act To Promote Outdoor Recreational Opportunities for Maine Students

CARRIED OVER

Sponsor(s)

DUNPHYM

Committee Report

Amendments Adopted

This bill allows private elementary and secondary schools and public and private postsecondary educational institutions in the State, without a guide license, to conduct camping trips for students and adults associated with those institutions when the leaders hold camp trip leader permits.

This bill, which had been voted but not yet reported out of committee, was carried over in committee to any special session of the 129th Legislature by joint order, S.P. 788.

LD 2001 An Act To Create An Administrative Review Process for Hunting and Fishing Violations

CARRIED OVER

Sponsor(s)

DILLINGHAM K

Committee Report

Amendments Adopted

This bill establishes a procedure for the Commissioner of Inland Fisheries and Wildlife to take administrative action regarding alleged property violations without first requiring criminal conviction or civil adjudication of the allegation. Under this bill, if the director of the Bureau of Warden Service has probable cause to suspect that civil trespass or abuse of another person's property while fishing, hunting or trapping has been committed, the commissioner may:

1. For a first violation, order that the person complete a hunter safety course or other safety course designated by

Joint Standing Committee on Inland Fisheries and Wildlife

the commissioner, regardless of whether the person is exempt from hunter safety course requirements;

- 2. For a second violation, order that all licenses and permits issued to the person by the Department of Inland Fisheries and Wildlife be suspended for a period of two years; and
- 3. For a third or subsequent violation, order that all licenses and permits issued to the person by the Department of Inland Fisheries and Wildlife be permanently suspended.

The bill provides a mechanism for notice and opportunities for hearing and appeal of administrative action taken by the commissioner. This bill, which had not yet been voted by the committee, was carried over in committee to any special session of the 129th Legislature by joint order, S.P. 788.

LD 2003 An Act Regarding Permits To Possess Wildlife in Captivity

PUBLIC 652

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

This bill amends the law governing the issuance of permits to possess wildlife in captivity to allow the Commissioner of Inland Fisheries and Wildlife to issue a notice of corrective action to a person who possesses wildlife in captivity without a permit and who is issued a permit by the commissioner.

Enacted Law Summary

Public Law 2019, chapter 652 amends the law governing the issuance of permits to possess wildlife in captivity to allow the Commissioner of Inland Fisheries and Wildlife to issue a notice of corrective action to a person who possesses wildlife in captivity without a permit and who is issued a permit by the commissioner.

LD 2065 An Act To Address Decibel Level Limits for Airboats

PUBLIC 662

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------------|-------------------------|---------------------------|
| MCCREIGHT J MIRAMANT D | OTP-AM | H-752 |

This bill exempts airboats, which are defined as flat-bottomed watercraft propelled by an aircraft-type propeller and powered by either an aircraft engine or an automotive engine, from the noise level limits imposed on other watercraft. Instead, this bill allows the Commissioner of Inland Fisheries and Wildlife to establish noise level limits for airboats by routine technical rules.

This bill also requires the Joint Standing Committee of Inland Fisheries and Wildlife and the Joint Standing Committee on Marine Resources to jointly solicit and collect information regarding airboats, including uses of airboats, noise levels and complaints and suggestions for reducing complaints regarding the use of airboats, from interested parties, such as harbor masters, town clerks and residents of coastal towns and airboat users and sellers. Based on the suggestions, the Commissioner of Inland Fisheries and Wildlife and the Commissioner of Marine Resources are authorized to implement legislation to the First Regular Session of the 130th Legislature to implement whatever suggestions the commissioners determine are necessary.

Committee Amendment "A" (H-752)

This amendment clarifies that the rules adopted by the Commissioner of Inland Fisheries and Wildlife regarding