

MAINE STATE LEGISLATURE

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STATE OF MAINE
130TH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS



Disposition of bills and summaries of all laws enacted or finally passed

JOINT STANDING COMMITTEE ON INLAND
FISHERIES AND WILDLIFE

December 2021

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JOINT STANDING COMMITTEE ON INLAND FISHERIES AND WILDLIFE

LD 88 An Act To Amend Maine's Wildlife Laws Regarding Species of Special Concern

ENACTED LAW SUMMARY

Public Law 2021, chapter 65 directs the Commissioner of Inland Fisheries and Wildlife to adopt routine technical rules establishing criteria for determining when a species of fish or wildlife that is not an endangered species or a threatened species is of special concern. The rules may include different criteria for categories of species of special concern, including a category for species that are rare. The rules must list the species that meet the criteria established in rule. The commissioner is directed to use the list in administering the law governing possession of wildlife in captivity under the Maine Revised Statutes, Title 12, section 12152 and may also use the list in administering any other laws or programs or when providing advisory recommendations to other entities or agencies on fish and wildlife matters in accordance with applicable laws or rules.

Public Law 2021, chapter 65 also clarifies that prior to recommending an addition, deletion or other change to the endangered and threatened species listed in law, the commissioner must hold at least one public hearing on that proposed recommendation.

LD 114 An Act To Address Airboat Operation in the State

ENACTED LAW SUMMARY

Public Law 2021, chapter 166 does the following.

1. It repeals current law requiring the Department of Inland Fisheries and Wildlife to establish noise level limits for airboats by rule and replaces it with a provision establishing temporary airboat noise limits. It establishes a noise limit of 90 decibels as measured in a stationary sound level test as prescribed by SAE standards J2005. Between the hours of 7 p.m. to 7 a.m. the operational noise limit is 75 decibels as measured by the shoreline test, except to the extent necessary to achieve headway speed when leaving a boat launch or to get off a mudflat. After 7 a.m. and before 7 p.m. the operational noise limit is 90 decibels as measured by the shoreline test, except to the extent necessary to achieve headway speed when leaving a boat launch or to get off a mudflat. These noise limits sunset on September 30, 2022.
2. It directs the Department of Marine Resources and the Department of Inland Fisheries and Wildlife to convene and work with a stakeholder group to examine and determine airboat mechanical systems and adjustments that will result in the lowest practically achievable airboat decibel levels and to examine and determine available federal or other funding to assist airboat owners in addressing any identified deficiencies in their airboat mechanical systems.
 - A. The stakeholder group may also examine other issues related to airboats such as establishing and restoring shellfish harvester access to coastal tidal areas, airboat

JOINT STANDING COMMITTEE ON INLAND FISHERIES AND WILDLIFE

operational techniques to allow for lower decibel levels, and appropriate training and equipment for State and municipal law enforcement officers.

- B. The departments, within existing resources, are directed to arrange for input from experts in airboat noise and collect local sound data related to airboat use on inland and coastal waters using SAE J1970, SAE J34 and SAE J2005 testing procedures.
- C. By January 15, 2022, the departments are required to report to the Joint Standing Committee on Marine Resources and the Joint Standing Committee on Inland Fisheries and Wildlife the findings and recommendations on airboat noise. After receiving the report, the Joint Standing Committee on Inland Fisheries and Wildlife may report out a bill relating to airboats to the 130th Legislature.

LD 142 An Act To Give the Commissioner of Inland Fisheries and Wildlife Rule-making Authority To Establish a Bear Season Framework and Bag Limits

ENACTED LAW SUMMARY

Public Law 2021, chapter 100 does the following.

1. It requires the Commissioner of Inland Fisheries and Wildlife to establish by rule an open season on hunting bear beginning no earlier than the 2nd Monday preceding September 1st and ending no later than November 30th annually.
2. It clarifies that the commissioner may adopt rules to set the dates when dogs may be used to hunt black bear during any portion of the open bear hunting season.
3. It provides that a person may not set bear bait earlier than 30 days before the first Monday preceding September 1st.
4. It reduces the fee for a resident bear permit from \$27 to \$10.
5. It requires the commissioner to adopt rules governing the number of bears that may be hunted and trapped in a season, which may not be more than one by trapping or two in total.
6. It establishes a daily bag limit of one bear by hunting.
7. It provides that, beginning January 1, 2022, to obtain a bear trapping permit, a person must either have successfully completed a bear trapping education course or have previously held a valid Maine bear trapping permit in any year prior to 2022.
8. It provides that a resident may hunt bear without a valid permit during the open firearm season on deer.