

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

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Enacted

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Not Enacted

LD 883	An Act To Protect Endangered Species Whose Life Cycles Include Maine Land or Waters	Majority (ONTP) Report
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Enacted

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LD 309 An Act Relating to Hunters Required To Hire Guides PUBLIC 87

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LD 635 An Act Relating to Hunting with a Noise Suppression Device PUBLIC 112

LD 1031 An Act To Create an Administrative Review Process for Hunting Violations PUBLIC 124

LD 1213 Resolve, Regarding Electronic Tagging of Big Game Animals RESOLVE 49

LD 1376 An Act To Clarify and Enhance Maine's Fish and Wildlife Laws PUBLIC 184

Not Enacted

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Not Enacted

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Enacted

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Not Enacted

LD 89	An Act To Regulate Airboats	ONTP
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Licenses and Permits

Enacted

LD 199	An Act To Amend Certain Fish and Wildlife Laws and Related Provisions	PUBLIC 54
LD 223	An Act To Clarify Maine's Fish and Wildlife Licensing and Registration Laws	PUBLIC 411
LD 635	An Act Relating to Hunting with a Noise Suppression Device	PUBLIC 112

Not Enacted

LD 10	An Act To Allow Resident Hunters To Harvest 2 Bears per Bear Hunting Season	ONTP
LD 212	An Act To Support Senior Hunting by Allowing Lifetime Licensed Hunters over 65 Years of Age To Automatically Receive an Antlerless Deer Permit	ONTP
LD 1081	An Act Regarding the Special Guides Permit Drawings	ONTP

Maine Outdoor Heritage Fund

Enacted

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Maine Tribes

Enacted

LD 361	An Act To Establish a Permanent Appointment of a Member of the Wabanaki Tribes to the Inland Fisheries and Wildlife Advisory Council	PUBLIC 72
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Moose Hunting

Not Enacted

LD 356	An Act To Increase Opportunities for Seniors and Persons with Disabilities To Participate in Moose Hunting	ONTP
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LD 433	An Act To Allow Winners of Moose Permits To Sell Subpermittee Selections	ONTP
LD 544	An Act To Eliminate Moose Permits for Hunting Lodges	ONTP

Sunday Hunting

Enacted

LD 1033	Resolve, To Direct the Department of Inland Fisheries and Wildlife To Examine Sunday Hunting	RESOLVE 107
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Not Enacted

LD 1054	An Act To Allow Hunting on Sundays with Written Consent on Private Property	ONTP
LD 1212	An Act To Allow Sunday Hunting North of U.S. Route 2 from the New Hampshire Border to Bangor, North of Route 9 from Bangor to the Canadian Border and within That Portion of the White Mountain National Forest inside the State	Majority (ONTP) Report

Trapping

Enacted

LD 547	An Act Regarding Nuisance Beavers	PUBLIC 60
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Enacted

LD 943	An Act To Improve Turkey Tagging	PUBLIC 121
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Enacted

LD 361	An Act To Establish a Permanent Appointment of a Member of the Wabanaki Tribes to the Inland Fisheries and Wildlife Advisory Council	PUBLIC 72
LD 404	An Act To Preserve Deer Habitat	PUBLIC 409

LD 943 An Act To Improve Turkey Tagging

PUBLIC 121

LD 1213 Resolve, Regarding Electronic Tagging of Big Game Animals

RESOLVE 49

DIGEST OF BILLS AND SUMMARIES OF ENACTED LAWS
130th Legislature, First Regular and First Special Sessions - 2021

DIGEST OF BILLS

PL = Public Law; P&SL = Private and Special Law;
 RESLV = Resolve; CON RES = Constitutional Resolution;
 IB = Initiated Bill

Bills Referred to

Inland Fisheries and Wildlife (IFW)

Comm	LD	Title	Comm Action		Carried over?	Final Disposition	Enacted Laws		Sess
							Law	Ch	
IFW	10	An Act To Allow Resident Hunters To Harvest 2 Bears per Bear Hunting Season	Reported Out	ONTP		Ought Not to Pass Pursuant to Joint Rule 310			R1
IFW	88	An Act To Amend Maine's Wildlife Laws Regarding Species of Special Concern	Reported Out	OTP-AM		Enacted	PL	65	S1
IFW	89	An Act To Regulate Airboats	Reported Out	ONTP		Ought Not to Pass Pursuant to Joint Rule 310			S1
IFW	114	An Act To Address Airboat Operation in the State	Reported Out	OTP-AM		Enacted	PL	166	S1
IFW	116	An Act To Allow the Commissioner of Inland Fisheries and Wildlife To Authorize the Hunting of Antlerless Deer without a Permit in Certain Areas	Carry Over Approved		Carried Over In Comm				S1
IFW	142	An Act To Give the Commissioner of Inland Fisheries and Wildlife Rule-making Authority To Establish a Bear Season Framework and Bag Limits	Reported Out	OTP-AM		Enacted	PL	100	S1
IFW	184	An Act To Minimize the Propagation of Invasive Aquatic Plants	Reported Out	ONTP		Ought Not to Pass Pursuant to Joint Rule 310			R1
IFW	199	An Act To Amend Certain Fish and Wildlife Laws and Related Provisions	Reported Out	OTP		Enacted	PL	54	S1
IFW	212	An Act To Support Senior Hunting by Allowing Lifetime Licensed Hunters over 65 Years of Age To Automatically Receive an Antlerless Deer Permit	Reported Out	ONTP		Ought Not to Pass Pursuant to Joint Rule 310			R1
IFW	223	An Act To Clarify Maine's Fish and Wildlife Licensing and Registration Laws	Reported Out	OTP-AM		Enacted	PL	411	S1
IFW	257	An Act To Expand the Hunting Season for Deer	Reported Out	ONTP		Ought Not to Pass Pursuant to Joint Rule 310			S1
IFW	280	An Act To Increase Funding for Snowmobile Trails and Capital Equipment Grants	Reported Out	OTP-AM		Enacted	PL	104	S1

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Inland Fisheries and Wildlife (IFW)

Comm	LD	Title	Comm Action	Carried over?	Final Disposition	Enacted Laws		Sess	
						Law	Ch		
IFW	294	An Act To Simplify the Any-deer Permit Distribution System by Including the Ability To Purchase Additional Permits	Reported Out	ONTP		Ought Not to Pass Pursuant to Joint Rule 310			R1
IFW	309	An Act Relating to Hunters Required To Hire Guides	Reported Out	OTP-AM		<u>Enacted</u>	<u>PL</u>	<u>87</u>	S1
IFW	349	Resolve, Directing an Examination of Issues Related to Operation of Watercraft on Waters of the State	Reported Out	OTP-AM		<u>Finally Passed</u>	<u>RESLV</u>	<u>45</u>	S1
IFW	356	An Act To Increase Opportunities for Seniors and Persons with Disabilities To Participate in Moose Hunting	Reported Out	ONTP		Ought Not to Pass Pursuant to Joint Rule 310			S1
IFW	361	An Act To Establish a Permanent Appointment of a Member of the Wabanaki Tribes to the Inland Fisheries and Wildlife Advisory Council	Reported Out	OTP-AM		<u>Enacted</u>	<u>PL</u>	<u>72</u>	S1
IFW	389	An Act To Amend the Laws Regarding Inland Fisheries and Wildlife	Reported Out	LTW		Leave to Withdraw Pursuant to Joint Rule 310			S1
IFW	394	An Act To Protect Maine's Loons and Other Wildlife in the Issuance of a Permit To Hold a Regatta, Race or Boat or Water-ski Exhibition	Carry Over Approved		Carried Over In Comm				S1
IFW	404	An Act To Preserve Deer Habitat	Reported Out	OTP-AM		<u>Emergency Enacted</u>	<u>PL</u>	<u>409</u>	S1
IFW	433	An Act To Allow Winners of Moose Permits To Sell Subpermittee Selections	Reported Out	ONTP		Ought Not to Pass Pursuant to Joint Rule 310			S1
IFW	445	An Act To Allow Deer Baiting by Hunters	Reported Out	ONTP/ OTP-AM		Accepted Majority (ONTP) Report			S1
IFW	544	An Act To Eliminate Moose Permits for Hunting Lodges	Reported Out	ONTP		Ought Not to Pass Pursuant to Joint Rule 310			S1
IFW	547	An Act Regarding Nuisance Beavers	Reported Out	OTP-AM		<u>Emergency Enacted</u>	<u>PL</u>	<u>60</u>	S1
IFW	569	An Act To Prohibit Hunting with a Bow on Land of Another Person within 100 Yards of a Building or Residence on That Land without Permission	Reported Out	OTP-AM		<u>Enacted</u>	<u>PL</u>	<u>74</u>	S1
IFW	626	An Act To Clarify Temporary Mooring Privileges for Moorings on Inland Waters	Carry Over Approved		Carried Over In Comm				S1

Bills Referred to

Inland Fisheries and Wildlife (IFW)

PL = Public Law; P&SL = Private and Special Law;
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Comm	LD	Title	Comm Action	Carried over?	Final Disposition	Enacted Laws		Sess
						Law	Ch	
IFW	635	An Act Relating to Hunting with a Noise Suppression Device	Reported Out	OTP-AM	Enacted	PL	112	S1
IFW	666	An Act To Lower the Youth Hunting Age	Reported Out	ONTP/ OTP	Accepted Majority (ONTP) Report			S1
IFW	692	An Act To Establish the Operation Game Thief Fund and Allow an Applicant for a State Hunting or Fishing License To Make a Donation To Prevent Illegal Hunting and Fishing	Reported Out	ONTP	Ought Not to Pass Pursuant to Joint Rule 310			S1
IFW	770	Resolve, To Direct the Department of Inland Fisheries and Wildlife To Examine Issues Related to Hunting Dogs and Civil Trespass	Reported Out	OTP-AM	Finally Passed	RESLV	77	S1
IFW	883	An Act To Protect Endangered Species Whose Life Cycles Include Maine Land or Waters	Reported Out	ONTP/ OTP-AM	Accepted Majority (ONTP) Report			S1
IFW	943	An Act To Improve Turkey Tagging	Reported Out	OTP-AM	Enacted	PL	121	S1
IFW	944	An Act To Simplify Dual Registration of Snowmobiles and All-terrain Vehicles	Reported Out	ONTP	Ought Not to Pass Pursuant to Joint Rule 310			S1
IFW	1012	An Act To Provide Funding for the Maine Outdoor Heritage Fund Program	Reported Out	OTP-AM/ ONTP	Enacted	PL	435	S1
IFW	1015	An Act To Ban Hunting with Ammunition That Contains Lead	Reported Out	ONTP	Ought Not to Pass Pursuant to Joint Rule 310			S1
IFW	1031	An Act To Create an Administrative Review Process for Hunting Violations	Reported Out	OTP-AM	Enacted	PL	124	S1
IFW	1033	Resolve, To Direct the Department of Inland Fisheries and Wildlife To Examine Sunday Hunting	Reported Out	OTP-AM/ ONTP	Finally Passed	RESLV	107	S1
IFW	1048	An Act To Promote Hunting by Persons with Disabilities	Reported Out	ONTP/ OTP-AM	Accepted Majority (ONTP) Report			S1
IFW	1054	An Act To Allow Hunting on Sundays with Written Consent on Private Property	Reported Out	ONTP	Ought Not to Pass Pursuant to Joint Rule 310			S1
IFW	1081	An Act Regarding the Special Guides Permit Drawings	Reported Out	ONTP	Ought Not to Pass Pursuant to Joint Rule 310			S1

Bills Referred to

Inland Fisheries and Wildlife (IFW)

PL = Public Law; P&SL = Private and Special Law;
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Comm	LD	Title	Comm Action	Carried over?	Final Disposition	Enacted Laws		Sess	
						Law	Ch		
IFW	1153	An Act To Restrict Combustion Engines on Webber Pond in Bremen	Reported Out	ONTP		Ought Not to Pass Pursuant to Joint Rule 310			S1
IFW	1212	An Act To Allow Sunday Hunting North of U.S. Route 2 from the New Hampshire Border to Bangor, North of Route 9 from Bangor to the Canadian Border and within That Portion of the White Mountain National Forest inside the State	Reported Out	ONTP/ OTP-AM		Accepted Majority (ONTP) Report			S1
IFW	1213	Resolve, Regarding Electronic Tagging of Big Game Animals	Reported Out	OTP-AM/ ONTP		Finally Passed	RESLV	49	S1
IFW	1244	An Act To Extend Electronic Proof of Registration to All-terrain Vehicles, Snowmobiles and Watercraft	Reported Out	OTP		Enacted	PL	130	S1
IFW	1265	An Act To Control the Means of Hunting Coyotes	Reported Out	ONTP		Ought Not to Pass Pursuant to Joint Rule 310			S1
IFW	1376	An Act To Clarify and Enhance Maine's Fish and Wildlife Laws	Reported Out	OTP-AM		Enacted	PL	184	S1
IFW	1439	An Act To Clarify All-terrain Vehicle Registration Requirements and Establish Regular Maintenance of Designated State-approved All-terrain Vehicle Trails	Reported Out	OTP-AM		Enacted	PL	215	S1
IFW	1474	An Act To Promote Outdoor Recreational Opportunities for Maine Students	Reported Out	OTP-AM		Emergency Enacted	PL	162	S1
IFW	1663	An Act To Improve Boating Safety on Maine Waters	Carry Over Approved		Carried Over In Comm				S1

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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

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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.

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9. It allows a person who holds a license authorizing hunting big game to obtain a bear trapping permit.
10. It provides that a bear hunting permit is required for each bear when the bag limit on bear is more than one.

Public Law 2021, chapter 100 takes effect January 1, 2022.

LD 199 An Act To Amend Certain Fish and Wildlife Laws and Related Provisions

ENACTED LAW SUMMARY

Public Law 2021, chapter 54 does the following.

1. It defines "upland game species." It provides for the Commissioner of Inland Fisheries and Wildlife to set a daily bag limit and possession limit for upland game species and makes violating these limits a Class E crime for which a fine of not less than \$200 plus \$50 for each animal taken in violation may be adjudged.
2. It allows the department to enforce the law prohibiting the abuse of another person's property against persons who abuse another person's property but who may not be involved in an activity such as hunting, fishing or trapping, as in current law. It allows a person found to have violated that law to be ordered to pay restitution to the landowner for damages.
3. It provides for the revocation of a hunting license of a person convicted of night hunting and found to have been in the possession of a thermal imaging device at the time of the offense.
4. It provides for the revocation of any license, permit or registration issued by the department, not just hunting and fishing licenses, of a person who is convicted of destroying, tearing down, defacing or otherwise damaging a property posting sign.
5. It prohibits domestic violence offenders and certain nonviolent juvenile offenders from obtaining or possessing any license or permit issued by the department that authorizes a person to hunt with a firearm.
6. It allows a person who has lawfully killed or trapped and registered a bear to sell, without a hide dealer's license, the fat not attached to the meat of that animal.
7. It clarifies that a person may not take or possess reptiles or amphibians from the wild for export, sale or commercial purposes.

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8. It specifies that a person may not keep bear, deer, moose or wild turkey without registering the animal for more than 18 hours after the animal was harvested.
9. It requires all the edible meat of a bear, deer or moose to be presented for registration along with evidence of the animal's sex. It also allows those animals to be dismembered for ease of transportation and allows the hunter to leave parts that are not of use away from public view.
10. It requires a hide dealer to keep a true and complete record of those buying and selling bear fat.
11. It allows a special hide dealer's license holder to commercially sell or barter the heads and untanned hides of bear that are butchered in the license holder's place of business.
12. It makes a special hide dealer's license valid for a full year, commencing January 1st, rather than a partial year, commencing August 1st.
13. It amends the definition of "owner," for the purpose of registration of a snowmobile, watercraft or ATV, to include a person having equitable interest in the snowmobile, watercraft or ATV, which entitles the person to possession of the vehicle.

LD 223 An Act To Clarify Maine's Fish and Wildlife Licensing and Registration Laws

ENACTED LAW SUMMARY

Public Law 2021, chapter 411 requires payment of a \$50 reinstatement fee to reinstate a suspended or revoked license, permit or registration under the inland fisheries and wildlife laws resulting from a finding of civil contempt. It also increases the reinstatement fee for a license, permit or registration suspension for failure to pay child support from \$25 to \$50. The word "permit" is added to this section in order to be consistent with other places in statute. The \$50 reinstatement fee for all types of suspensions and revocations is deposited into the Landowner Relations Fund.

Public Law 2021, chapter 411 allows a nonresident junior trapper to purchase a trapping license at the resident junior rate and clarifies that a nonresident trapper of any age who is not a citizen of the United States may trap only beaver.

Public Law 2021, chapter 411 includes language in regard to the form and display of snowmobile registration numbers and stickers that is consistent with all-terrain vehicle registration requirements. It also provides that a snowmobile registered after May 1st and prior to July 1st has a registration that is valid for the upcoming winter and expires June 30th of the following year. Similar language changes are made to the law regarding all-terrain vehicle registration fees in order to be consistent with snowmobile registration requirements. It also changes a date from June 31st, which does not exist, to June 30th.

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LD 280 An Act To Increase Funding for Snowmobile Trails and Capital Equipment Grants

ENACTED LAW SUMMARY

Public Law 2021, chapter 104 changes the resident and nonresident registration fees for snowmobiles and uses the increased fees to help fund the Snowmobile Trail Fund, the fund responsible for capital equipment grants and the Snowmobile Enforcement Fund.

The fee for resident snowmobile registrations is increased by \$10.

The fee for nonresident snowmobile registrations is increased from \$49 to \$74 for a three-day registration, from \$75 to \$99 for a 10-day registration and from \$99 to \$119 for a seasonal registration.

Ten dollars from resident registration fees, a \$5 increase, and \$15 from nonresident registration fees, a \$10 increase, must be transferred to the fund used for capital equipment grants.

The portion of the resident registration fee allocated to the Snowmobile Trail Fund is increased by \$5 from \$12 to \$17. The portion of the nonresident registration fees allocated to the Snowmobile Trail Fund is increased by \$10, from \$6 to \$16 for each three-day and 10-day registration and from \$11 to \$21 for each seasonal registration.

Public Law 2021, chapter 104 also requires \$5 from the three-day and 10-day nonresident registration fees be transferred to the Snowmobile Enforcement Fund established in the Department of Inland Fisheries and Wildlife, Bureau of Warden Service.

LD 309 An Act Relating to Hunters Required To Hire Guides

ENACTED LAW SUMMARY

Public Law 2021, chapter 87 reenacts the substance of a provision of law that was enacted in 2009 and later repealed. The law requires a nonresident who is not a citizen of the United States and is a resident of the Canadian province of New Brunswick or Quebec to be accompanied by a licensed guide when hunting in Maine. It provides an exception for such a person who owns or leases land in the State, is current on property taxes assessed for that land and keeps that land open for hunting by the public. If these conditions are met, the person and the person's family members may be authorized to hunt without a guide.

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LD 349 Resolve, Directing an Examination of Issues Related to Operation of Watercraft on Waters of the State

ENACTED LAW SUMMARY

Resolve 2021, chapter 45 directs the Department of Inland Fisheries and Wildlife to examine issues related to the operation of watercraft, including personal watercraft, on the waters of the State, including methods of educating the public about current laws governing the operation of watercraft. The department is also directed to monitor whether the Town of Sweden votes to support banning personal watercraft on Keyes Pond. The department must report the department's findings and recommendations to the Joint Standing Committee on Inland Fisheries and Wildlife. The committee is authorized to report out a bill to the 130th Legislature related to the subject matter of the report, including relating to the operation of personal watercraft on Keyes Pond.

LD 361 An Act To Establish a Permanent Appointment of a Member of the Wabanaki Tribes to the Inland Fisheries and Wildlife Advisory Council

ENACTED LAW SUMMARY

Public Law 2021, chapter 72 adds an 11th member to the Inland Fisheries and Wildlife Advisory Council. This member must be a member of a federally recognized Indian nation, tribe or band in the State. The Governor appoints this member based on the joint recommendation of the tribal governments of the Aroostook Band of Micmacs, the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe at Motahkomikuk, the Passamaquoddy Tribe at Sipayik and the Penobscot Nation. If these tribal governments do not make a unanimous joint recommendation, the Governor appoints a member of a federally recognized Indian nation, tribe or band in the State and rotates the appointment among members of each federally recognized Indian nation, tribe or band in the State.

LD 404 An Act To Preserve Deer Habitat

ENACTED LAW SUMMARY

Public Law 2021, chapter 409 does the following.

1. It establishes preferential consideration under the Land for Maine's Future program for projects that conserve deer wintering areas identified by the Department of Inland Fisheries and Wildlife and that satisfy other land management requirements.
2. It allows proceeds from the Land for Maine's Future Fund to be used for the development of a management plan for a deer wintering area on lands acquired for that purpose using the Land for Maine's Future Fund, as long as the cost of the plan as well as any minor capital investments in the stewardship and management of that land does not exceed 5% of the appraised value of

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the property. A management plan may also apply to adjoining deer wintering areas in the same ownership or under the same management.

3. It directs the Commissioner of Inland Fisheries and Wildlife to identify areas that are important to the conservation of deer in northern, eastern and western Maine, and authorizes the department to acquire these lands, which must be designated as wildlife management areas, and directs the department to ensure that appropriate deed restrictions are placed on the land acquired and to develop appropriate purchase and sale agreements to ensure that deer wintering areas on land to be acquired is preserved as deer wintering areas prior to purchase. Beginning January 15, 2023 and annually thereafter, the department is required to report to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters on the acquisition and management of deer wintering areas.
4. It allows the Maine Deer Management Fund to be used to acquire deer habitat.
5. It authorizes the Department of Inland Fisheries and Wildlife to prohibit or limit the feeding of deer, bear, moose or wild turkey as part of a plan to promote the use of deer wintering areas by deer.

Public Law 2021, chapter 409 was enacted as an emergency measure effective July 8, 2021.

LD 547 An Act Regarding Nuisance Beavers

ENACTED LAW SUMMARY

Public Law 2021, chapter 60 provides that the Commissioner of Inland Fisheries and Wildlife may at any time authorize a landowner, a person on behalf of the landowner or an agent of the Department of Inland Fisheries and Wildlife to take or kill nuisance beaver.

Public Law 2021, chapter 60 was enacted as an emergency measure effective May 25, 2021.

LD 569 An Act To Prohibit Hunting with a Bow on Land of Another Person within 100 Yards of a Building or Residence on That Land without Permission

ENACTED LAW SUMMARY

Public Law 2021, chapter 74 prohibits the discharge of an arrow from a bow and arrow when on land of another person and within 100 yards of a building or residential dwelling on that land without the permission of the owner of that building or residential dwelling or, in the owner's absence, of an adult occupant of that building or dwelling authorized to act on behalf of the owner. It also prohibits a person from causing an arrow from a bow and arrow to pass across the land of another person and within 100 yards of a building or residential dwelling on that land without the

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permission of the owner of that building or residential dwelling or, in the owner's absence, of an adult occupant of that building or dwelling authorized to act on behalf of the owner.

LD 635 An Act Relating to Hunting with a Noise Suppression Device

ENACTED LAW SUMMARY

Public Law 2021, chapter 112 does the following.

1. It repeals the law prohibiting the use of a noise suppression device when hunting without a noise suppression device permit.
2. It repeals the law relating to the use of noise suppression devices, including the permit requirement as well as the current enhanced penalties and mandatory license revocations that apply to committing hunting crimes while using a noise suppression device.
3. It creates a new provision providing for the suspension of a person's hunting license for at least three years if that person is convicted of any of the violations listed in the Maine Revised Statutes, Title 12, section 10902, subsection 6 and found to have been in possession of a firearm with a noise suppression device. The violations listed in Title 12, section 10902, subsection 6 are violations for which a mandatory license revocation of at least one year currently applies.

LD 770 Resolve, To Direct the Department of Inland Fisheries and Wildlife To Examine Issues Related to Hunting Dogs and Civil Trespass

ENACTED LAW SUMMARY

Resolve 2021, chapter 77 does the following.

1. It directs the Department of Inland Fisheries and Wildlife to establish a stakeholder group to examine issues related to hunting dogs and civil trespass. The department must ensure that the stakeholder group is as broadly representative of interested parties and groups as possible and invite participation from at least the following: representatives of affected landowners and persons who use dogs in hunting and others with interest in or expertise on the subject matter of the examination. The department may include or involve the Landowners and Sportsmen Relations Advisory Board in the work of the stakeholder group.
2. It directs the department to report the findings and recommendations resulting from the examination to the Joint Standing Committee on Inland Fisheries and Wildlife by January 3, 2022. The committee may report out a bill related to the subject matter of the report to the 130th Legislature.

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LD 943 An Act To Improve Turkey Tagging

ENACTED LAW SUMMARY

Public Law 2021, chapter 121 does the following.

1. It exempts turkeys taken during the fall open season on hunting wild turkey from tagging and registration requirements.
2. It requires the Department of Inland Fisheries and Wildlife to determine the direct costs of and timeline required for implementing an electronic tagging system for wild turkey. The department is required to report its findings and recommendations to the Joint Standing Committee on Inland Fisheries and Wildlife by January 3, 2022 and the committee is authorized to report out a bill related to turkey tagging to the 130th Legislature.

LD 1012 An Act To Provide Funding for the Maine Outdoor Heritage Fund Program

ENACTED LAW SUMMARY

Public Law 2021, chapter 435 provides \$75,000 from the unappropriated surplus of the General Fund in each year of the biennium to support the Maine Outdoor Heritage Fund program. Under the program, grants are made to various project categories, including for endangered and threatened species conservation. Wildlife rehabilitators may receive grants under this category.

LD 1031 An Act To Create an Administrative Review Process for Hunting Violations

ENACTED LAW SUMMARY

Public Law 2021, chapter 124 establishes a procedure for the Commissioner of Inland Fisheries and Wildlife to take administrative action regarding civil trespass while hunting without first requiring a criminal conviction or civil adjudication. This administrative action may be initiated when the Game Warden Colonel determines, after consultation with the district attorney, that a person the Game Warden Colonel has probable cause to suspect has violated the Maine Revised Statutes, Title 12, section 10657, the law prohibiting trespassing while hunting, will not be charged with that violation by the district attorney. The administrative proceedings include notice and an opportunity to be heard and allows the commissioner to impose administrative penalties including revocation of a license to hunt for up to three years. If the person is found to have committed civil trespass while hunting and does not hold a hunting license, the commissioner may refuse to issue a hunting license to that person for up to five years. The decision of the commissioner may be appealed to Superior Court.

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LD 1033 Resolve, To Direct the Department of Inland Fisheries and Wildlife To Examine Sunday Hunting

ENACTED LAW SUMMARY

Resolve 2021, chapter 107 does the following.

1. It directs the Department of Inland Fisheries and Wildlife to establish a stakeholder group to examine issues related to allowing Sunday hunting.
2. It directs the department to ensure that the stakeholder group is as broadly representative of interested parties and groups as possible and invite participation from at least the following: representatives of farmers, small landowners and large landowners; supporters and opponents of Sunday hunting opportunities; hunters and nonhunters; guides; persons or entities from diverse geographic regions of the State; and others with interest or expertise in the subject matter of the examination.
3. It requires the department to hire a facilitator to assist the stakeholder group in its work and provides funding for the facilitator.
4. It directs the department, in consultation with the stakeholder group, to develop and complete a survey relating to the subject matter of the examination, if the department receives adequate outside funding to fund the survey. It allows the department to seek and accept outside funding to fund the survey.
5. It directs the department to report the findings and recommendations of the stakeholder group to the Joint Standing Committee on Inland Fisheries and Wildlife by January 3, 2022. The committee is authorized to report out a bill related to Sunday hunting to the 130th Legislature.

LD 1213 Resolve, Regarding Electronic Tagging of Big Game Animals

ENACTED LAW SUMMARY

Resolve 2021, chapter 49 does the following.

1. It directs the Department of Inland Fisheries and Wildlife to examine electronic tagging of big game animals and to report the department's findings and recommendations, including suggested legislation, to the Joint Standing Committee on Inland Fisheries and Wildlife by

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January 3, 2022. The committee is authorized to report out a bill related to big game tagging to the Second Regular Session of the 130th Legislature.

2. It directs the department to take actions necessary to increase the number of big game animal registration stations to meet registration needs. The department is authorized to allow wild game processing facilities, hunting outfitters and other appropriate hunting-related businesses to apply to be selected as registration agents and to waive requirements established in the department's rules for registration stations to operate for a minimum number of days per week or a minimum number of hours per day or to satisfy restrictions related to location.

LD 1244 An Act To Extend Electronic Proof of Registration to All-terrain Vehicles, Snowmobiles and Watercraft

ENACTED LAW SUMMARY

Public Law 2021, chapter 130 allows a person to present or have available for inspection an electronic form of a registration certificate, online registration receipt or certificate of number for a snowmobile, watercraft or all-terrain vehicle.

LD 1376 An Act To Clarify and Enhance Maine's Fish and Wildlife Laws

ENACTED LAW SUMMARY

Public Law 2021, chapter 184 does the following.

1. It makes technical cross-reference corrections.
2. It corrects a conflict created by Public Law 2017, chapters 427 and 458, which affected the same provision of law. It provides that no more than 8% of moose hunting permits may be issued to nonresidents and no more than 2% may be issued to hunting outfitters.
3. It removes an obsolete provision in the moose permit law related to hunting in road safety management areas.
4. It eliminates the requirement that moose hunters complete a questionnaire.
5. It provides that a person who has lawfully killed and registered a wild turkey may sell the plumage, wing bones, beard and lower legs of that animal.
6. It provides that a person may not sell any live wildlife unless authorized to do so.

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7. It removes an obsolete provision relating to nonresident junior fishing licenses, which are no longer issued.
8. It provides that a person licensed to deal in live smelts or baitfish may not receive, possess for resale, sell or offer to sell gift baitfish or gift smelts.
9. It adds the towns of Detroit and Burnham to the description of the Plymouth Bog Wildlife Management Area.
10. It adds the Pleasant Bay Wildlife Management Area in Washington County to the list of wildlife management areas.
11. It makes terminology related to the requirements for taillights for snowmobiles and ATVs consistent: at least one taillight capable of displaying a red light visible at a distance of at least 100 feet.
12. It removes cross references in the laws prohibiting operating a snowmobile or ATV within 200 feet of dwellings, nursing homes, convalescent homes and churches. The laws create exceptions when operating on public ways in accordance with several other provisions that are cross referenced; two of those cross references are to provisions that relate to failing to stop before entering a public way and failing to yield the right-of-way to vehicles while operating on public or private ways. This law removes these two cross references. The law also clarifies the cross reference to the provisions relating to operating on controlled access highways. The underlying prohibitions and exceptions, however, remain otherwise unaffected.
13. It makes non-substantive changes to the provision governing the registration of an ATV by a member of the Armed Forces of the United States who is permanently stationed in this State, making it more consistent with a similar provision for the registration of a snowmobile. It provides that registration fees for the registration of such an ATV must be allocated as if the person registering the ATV was a resident of the municipality where the member is stationed.
14. It removes an incorrect cross-reference to the Maine Revised Statutes, Title 29-A, section 2083 in the laws governing wearing helmets while on an all-terrain vehicle.
15. It allows the Inland Fisheries and Wildlife Advisory Council to conduct public meetings using telephonic, video, electronic or other means of remote participation if certain requirements are met.

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LD 1439 An Act To Clarify All-terrain Vehicle Registration Requirements and Establish Regular Maintenance of Designated State-approved All-terrain Vehicle Trails

ENACTED LAW SUMMARY

Public Law 2021, chapter 215 does the following.

1. Increases all-terrain vehicle, or ATV, registration fees. Beginning May 1, 2022, it increases the registration fees for ATVs by \$25 for each type of registration. It provides that all of the increase of each fee collected must be deposited in the ATV Recreational Management Fund and must be used to maintain designated state-approved ATV trails. It requires the Department of Agriculture Conservation and Forestry and the Department of Inland Fisheries and Wildlife to review ATV registration fees and the maintenance needs for ATV trails in 2022 and 2023 and every two years thereafter and to report their findings to the Inland Fisheries and Wildlife Committee. The committee is authorized to report out legislation on the subject matter after receiving a report. It provides that the Bureau of Parks and Lands must use the registration fees deposited into the ATV Recreational Management Fund to oversee construction and maintenance of designated state-approved all-terrain vehicle trails. It requires the Bureau of Parks and Lands to use the ATV Recreational Management Fund to ensure that maintenance of designated state-approved ATV trails occurs annually and requires the bureau to adopt and use best practices of motorized trail construction during construction and maintenance of designated state-approved ATV trails. The bureau is directed to adopt rules that establish a procedure to prioritize the bureau's maintenance of designated state-approved ATV trails. It adds to the purposes for which the ATV Recreational Management Fund may be used, ensuring that designated state-approved ATV trails are inspected annually.
2. It establishes an antique ATV registration. An “antique ATV” is an ATV over 25 years old substantially maintained in its original or restored condition. The registration fee for an antique ATV is \$45, which is deposited in the General Fund.
3. It allows unregistered ATVs to be used on land the operator owns or leases, regardless of where the operator is domiciled.
4. It creates a new category called an “oversized ATV” and provides for limited registration of these ATVs. An “oversized ATV” is an ATV wider than 65 inches or that weighs more than 2,000 pounds according to the manufacturer’s specifications. Registration of an oversized ATV is allowed only for residents who registered that oversized ATV prior to January 1, 2022. An oversized ATV that is registered by its current owner may be transferred to a new owner who may also register that ATV. Unregistered oversized ATVs are allowed to be operated only on land the operator owns or leases, which is the same as any other unregistered ATV. Registration agents are required to provide information about oversized ATVs to a person requesting to register one: the agent must provide a form developed by the Department of Inland Fisheries and Wildlife providing the necessary information. Dealers are also required

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to provide information about oversized ATVs to any person purchasing one. Dealers must provide a form developed by the Department of Inland Fisheries and Wildlife providing the necessary information and the form must include a place for the purchaser to acknowledge receipt of the form so that the dealer has a record of compliance.

5. It requires the Department of Inland Fisheries and Wildlife to develop and make available an education component for ATV owners and ATV registration agents regarding the operation and registration of oversized ATVs, including guidance regarding which ATVs are considered oversized ATVs, under which conditions oversized ATVs may be registered and where oversized ATVs may be operated.
6. It clarifies landowner and lessee rights to limit use of ATVs on designated state-approved ATV trails on their land, including limiting the type, size and weight of ATVs permitted. It also provides that operators of ATVs, including oversized ATVs, on designated state-approved all-terrain vehicle trails must adhere to limitations imposed by landowners, lessees and the State.

LD 1474 An Act To Promote Outdoor Recreational Opportunities for Maine Students

ENACTED LAW SUMMARY

Public Law 2021, chapter 162 creates an outdoor educational trip leader permit program. A person who obtains an outdoor educational trip leader permit may lead an educational or recreational outdoor trip conducted by an educational institution that includes nonmotorized boating or camping at a primitive camping area but does not include fishing, hunting, trapping or the use of snowmobiles, motorboats or all-terrain vehicles.

Public Law 2021, chapter 162 directs the Commissioner of Inland Fisheries and Wildlife to adopt rules to implement the new program, including establishing an advisory committee to advise the commissioner on the program. A person who is not a licensed guide who conducts an outdoor educational trip without an educational trip leader permit is subject to a civil penalty. However, schools currently conducting such trips as part of their programming have until October 1, 2022 to comply with the new permit process.

Public Law 2021, chapter 162 was enacted as an emergency measure effective June 11, 2021.