

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

*First Regular Session and
First Special Session*

Bill Summaries

*Joint Standing Committee
on
Inland Fisheries and Wildlife*

August 2005

Members:

*Sen. Bruce S. Bryant, Chair
Sen. Joseph C. Perry
Sen. Chandler E. Woodcock*

*Rep. Thomas R. Watson, Chair
Rep. Walter A. Wheeler, Sr.
Rep. Stanley A. Moody*

*Rep. Jacqueline A. Lundeen
Rep. Troy D. Jackson
Rep. Mark E. Bryant
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Rep. David E. Richardson*

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing select committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills considered by the committees. It is organized by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

- CARRIED OVER Bill Carried Over to Second Regular Session
CON RES XXX..... Chapter # of Constitutional Resolution passed by both Houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; bill died
DIED BETWEEN BODIES..... House & Senate disagree; bill died
DIED IN CONCURRENCE..... One body accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT..... Action incomplete when session ended; bill died
EMERGENCY..... Enacted law takes effect sooner than 90 days
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE..... Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE..... Bill failed to get majority vote
FAILED MANDATE ENACTMENT..... Bill imposing local mandate failed to get 2/3 vote
NOT PROPERLY BEFORE THE BODY..... Ruled out of order by the presiding officers; bill died
INDEF PP..... Bill Indefinitely Postponed
ONTP..... Ought Not To Pass report accepted
OTP ND..... Committee report Ought To Pass In New Draft
OTP ND/NT..... Committee report Ought To Pass In New Draft/New Title
P&S XXX..... Chapter # of enacted Private & Special Law
PUBLIC XXX..... Chapter # of enacted Public Law
RESOLVE XXX..... Chapter # of finally passed Resolve
UNSIGNED..... Bill held by Governor
VETO SUSTAINED..... Legislature failed to override Governor's Veto

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

Joint Standing Committee on Inland Fisheries and Wildlife

LD 1477 **Resolve, Preventing the Upstream Migration of Exotic Species past the Fish River Falls and into the Fish River Watershed** **RESOLVE 50**

<u>Sponsor(s)</u> MARTIN JACKSON	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-169
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LD 1477 proposed to direct the Commissioner of Inland Fisheries and Wildlife to implement a program to prevent the upstream migration of exotic species past the Fish River Falls and into the Fish River watershed in Aroostook County.

Committee Amendment "A" (S-169) proposed to add language to the bill that directs the Commissioner of Inland Fisheries and Wildlife to implement the program only when funding is available from sources other than the General Fund.

Enacted law summary

Resolve 2005, chapter 50 directs the Commissioner of Inland Fisheries and Wildlife to implement a program when money from non-General Fund sources is available, to prevent the upstream migration of exotic species past the Fish River Falls and into the Fish River watershed in Aroostook County.

LD 1519 **Resolve, To Address the Unauthorized Publication of Information Concerning Recreational Trails That Cross Private Property** **RESOLVE 75**

<u>Sponsor(s)</u> DUPLESSIE BRYANT B	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-460
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LD 1519 was a concept draft pursuant to Joint Rule 208.

The bill proposed to require that a guide for hiking or recreational trails indicate whether those trails are located on or cross private property if telecommunications towers are located on that property.

Committee Amendment "A" (H-460) proposed to replace the bill with a resolve. It would require the Department of Inland Fisheries and Wildlife and the Department of Conservation to work with the Executive Department, State Planning Office, landowners and other interested parties to develop and implement a program that ensures that publications regarding recreational trails that cross private property are authorized by the affected landowner, notify readers that the trail crosses private property and encourage trail users to be respectful of private property. It would also require the Department of Inland Fisheries and Wildlife and the Department of Conservation to jointly report to the Joint Standing Committee on Inland Fisheries and Wildlife regarding the program and its implementation no later than January 2, 2006.

Enacted law summary

Resolve 2005, chapter 75 requires the Department of Inland Fisheries and Wildlife and the Department of Conservation to work with the Executive Department, State Planning Office, landowners and other interested parties to develop and implement a program that ensures that publications regarding recreational trails that cross

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private property are authorized by the affected landowner, notifies readers that the trail crosses private property and encourages trail users to be respectful of private property. It also requires the Department of Inland Fisheries and Wildlife and the Department of Conservation to jointly report to the Joint Standing Committee on Inland Fisheries and Wildlife regarding the program and its implementation by no later than January 2, 2006.

LD 1531 **An Act To End the Use of Wire Neck Snares** **ONTP**

<u>Sponsor(s)</u> EDER		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1531 proposed to end the use of wire neck snares by repealing the coyote control program and by removing the responsibility the Department of Inland Fisheries and Wildlife, Bureau of Resource Management had in assisting in the control of coyotes as part of the bureau's animal damage control functions.

LD 1648 **Resolve, Directing the Department of Inland Fisheries and Wildlife To Study the Feasibility of Establishing a Program To Assess Riverine Habitats in Maine** **RESOLVE 80**

<u>Sponsor(s)</u> TRAHAN BRYANT B		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-483
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LD 1648 proposed to direct the Department of Inland Fisheries and Wildlife to coordinate and facilitate salmon and brook trout habitat restoration efforts. The resolve also would direct the department to conduct a statewide survey to create a priority list for habitat restoration and to facilitate the creation of a database.

Committee Amendment "A" (H-483) proposed to replace the resolve and direct the Department of Inland Fisheries and Wildlife to determine the scope, structure, activities and costs of a program to assess habitats provided by rivers and streams in Maine and report its findings to the Legislature by January 2, 2006.

Enacted law summary

Resolve 2005, chapter 80 directs the Department of Inland Fisheries and Wildlife to determine the scope, structure, activities and costs of a program to assess habitats provided by rivers and streams in Maine and report its findings to the Legislature by January 2, 2006.