

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON INLAND FISHERIES
AND WILDLIFE**

July 2007

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STATE OF MAINE

123RD LEGISLATURE

FIRST REGULAR SESSION

LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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:

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 (or Accepted ONTP report).....	Ought Not To Pass report accepted
OTP-ND.....	Committee report Ought To Pass In New Draft
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED.....	Joint Order passed in both bodies
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 that the effective date for non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Inland Fisheries and Wildlife

LD 1081 An Act To Protect Wild Trout from Exotic Species

**DIED IN
CONCURRENCE**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KOFFMAN	ONTP MAJ OTP-AM MIN	

LD 1081 prohibits the stocking of splake in any waters that drain into or out of wild trout waters. It also directs the Commissioner of Inland Fisheries and Wildlife to prepare a list of waters that are suitable for splake stocking.

Committee Amendment "A" (H-269)

This committee amendment prohibits the Department of Inland Fisheries and Wildlife from stocking splake or issuing a permit to stock splake in waters that run into or out of wild brook trout waters. It also provides that the Commissioner of Inland Fisheries and Wildlife must have the list of waters suitable for splake stocking available to the public no later than December 1, 2007.

LD 1101 An Act To Establish a Complimentary Moose Permit Drawing for 100% Disabled Veterans

**ACCEPTED ONTP
REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PLOWMAN	ONTP MAJ OTP-AM MIN	

LD 1101 establishes a special complimentary moose permit drawing for resident veterans who are 100% disabled and served in a combat zone. It authorizes the Commissioner of Inland Fisheries and Wildlife to determine the number of permits to be allotted for the special drawing but limits the number to no more than 2% of the total number of permits issued annually during the regular moose permit drawing.

LD 1104 An Act To Amend Certain Provisions of Fish and Wildlife Law

PUBLIC 463

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT B	OTP-AM	S-234 S-356 ROTUNDO

LD 1104 adds more lifetime hunting permits for Native Americans, provides for a complimentary license to hunt and fish to a spouse or child of a game warden killed in the line of duty and clarifies and corrects an incorrect penalty section. It also adds areas to the list of state-owned wildlife management areas.

Committee Amendment "A" (S-234)

This committee amendment removes the requirement that a person have a permit to harvest alewives from the Maine Revised Statutes, Title 12, Part 13 because jurisdiction over the management of that species is being transferred to another department. It makes those provisions effective January 1, 2008. It also provides that a person may not possess an antlerless deer in Washington County unless that deer has been legally registered in another county.

Senate Amendment "A" (S-356)

Joint Standing Committee on Inland Fisheries and Wildlife

This amendment adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2007, chapter 463 provides a complimentary license to hunt and fish to a spouse or child of a game warden killed in the line of duty. It removes the requirement that a person have a permit to harvest alewives from the Maine Revised Statutes, Title 12, Part 13 because jurisdiction over the management of that species is being transferred to another department. It also provides that a person may not possess an antlerless deer in Washington County unless that deer has been legally registered in another county. Public Law 2007, chapter 463 adds areas to the list of state-owned wildlife management areas and corrects a technical error regarding the penalty for the use of a firearm in the Town of Southport.

LD 1133 Resolve, To Establish the William Silliker Memorial Wildlife Watching Area **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ADAMS	ONTP	

LD 1133 directs the Department of Conservation to establish a wildlife watching area on state-owned land to be named in memory of noted Maine naturalist and photographer William Silliker. It requires the Commissioner of Conservation to work with the Department of Inland Fisheries and Wildlife to adopt rules and select a location based on public input, biological suitability, public accessibility and public safety.

LD 1305 Resolve, To Create a New Hunter Safety Course **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT B	ONTP	

LD 1305 directs the Department of Inland Fisheries and Wildlife to create a new hunter safety course that includes an option for home study or classroom instruction, a day at the shooting range and options for firearm, bow and crossbow hunting instruction.

LD 1387 An Act Concerning the Taking of Nuisance Animals BY REQUEST **PUBLIC 198**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE D	OTP-AM	H-229

LD 1387 allows a person to kill up to 2 wild animals or wild turkeys or 5 deer annually on that person's property if a game warden issues a permit to do so because of crop damage. It provides that if a person kills more than 2 wild animals or wild turkeys or 5 deer, the carcasses of deer, bear, moose or wild turkeys killed or taken must be distributed to recipients authorized through the Hunters for the Hungry Program and the Department of Inland Fisheries and Wildlife must be notified within 24 hours that the meat is ready to be picked up.

Committee Amendment "A" (H-229)

This committee amendment retains the provisions of current law regarding who is eligible to keep the carcasses of nuisance animals and allows a person to keep up to 3 instead of 2 nuisance deer carcasses.