

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

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.

Joint Standing Committee on Inland Fisheries and Wildlife

Enacted Law Summary

Public Law 2007, chapter 198 provides that when a person has meat from harvested nuisance animals to be distributed to recipients authorized through the Hunters for the Hungry Program, that person shall inform the Department of Inland Fisheries and Wildlife within 24 hours that the meat is ready to be picked up. It also raises the number of nuisance deer carcasses that a person who harvested the deer can keep from 2 to 3 deer.

LD 1496 An Act To Restrict the Time during Which an Airmobile May Be Operated **ONTP**

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

LD 1496 prohibits a person from operating an airmobile between midnight and 7:00 a.m.

LD 1635 An Act To Prohibit Recreational Bear Trapping **ACCEPTED ONTP REPORT**

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

LD 1635 abolishes the open season on trapping bears but allows for the trapping of bear only for scientific research, animal damage control or public safety.

LD 1642 Resolve, To Improve Landowner Relations **RESOLVE 130 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISCHER	OTP-AM A ONTP B	H-233 S-374 ROTUNDO

LD 1642 authorizes the Department of Inland Fisheries and Wildlife to create a full-time landowner relations coordinator within its Information and Education Division.

Committee Amendment "A" (H-233)

This committee amendment adds an appropriations and allocations section to the resolve.

Senate Amendment "A" (S-374)

This Senate amendment is an emergency measure and replaces the bill with a resolve. It authorizes a limited-period Director of Recreational Access and Landowner Relations position within the Department of Conservation. Forty percent of the funding for this position must be provided by the Department of Conservation and 60% must come from the Department of Inland Fisheries and Wildlife. It also provides that this position is established to work with the Department of Inland Fisheries and Wildlife on issues regarding outreach and assistance to landowners who permit public recreational access on private lands.