

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
123<sup>RD</sup> LEGISLATURE  
FIRST REGULAR SESSION



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

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

July 2007

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**STAFF:**

CURTIS C. BENTLEY, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670

# STATE OF MAINE

123<sup>RD</sup> 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 123<sup>rd</sup> 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

## Enacted Law Summary

Resolve 2007, chapter 130 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.

Resolve 2007, chapter 130 was passed as an emergency measure effective June 27, 2007.

## LD 1834 An Act To Authorize the Use of Timber Harvesting Revenues for Land Management

PUBLIC 217

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT B	OTP-AM	S-123

LD 1834 resolves a conflict with a federal statute that requires timber revenues from any of the Department of Inland Fisheries and Wildlife's wildlife management areas purchased with federal aid funds be used for land management activities on the lands from which they were derived. It also repeals the requirement that the State pay 50% of the net profits that it receives from the sale or lease of natural products on such land to a municipality located on that land.

### Committee Amendment "A" (S-123)

This committee amendment incorporates a fiscal note.

## Enacted Law Summary

Public Law 2007, chapter 217 conforms state law with federal statute that requires timber revenues from any of the Department of Inland Fisheries and Wildlife's wildlife management areas purchased with federal aid funds be used for land management activities on the lands from which they were derived. It also repeals the requirement that the State pay 50% of the net profits that it receives from the sale or lease of natural products on such land to a municipality located on that land.

## LD 1838 An Act To Ensure Safety on Freshwater Ferry Vessels

CARRIED OVER

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

LD 1838 provides for the regulation of ferries that operate in state waters, not including navigable waters under the jurisdiction of the United States Coast Guard. The provisions of this bill include:

1. The requirement that each ferry be inspected yearly by an accredited marine surveyor;
2. Specific inspection requirements of various components of a ferry;
3. The number of permitted individuals and permitted passengers on a ferry;
4. Safe operation of a ferry while underway; and

## *Joint Standing Committee on Inland Fisheries and Wildlife*

5. Preparations for an emergency.

LD 1838 was carried over to any special or regular session of the 123rd Legislature by joint order, H.P. 1369.

**LD 1858     An Act To Protect Inland Water Access**

**CARRIED OVER**

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

LD 1858 was jointly referred to the Committee on Agriculture, Conservation and Forestry and the Committee on Inland Fisheries and Wildlife and requires a state agency to hold a public hearing on a state agency proposal to restrict, expand or change in any way access to inland waters. The public hearing must be held near the location of the proposed restriction, expansion or change.

This bill was carried over to any special or regular session of the 123rd Legislature by joint order, H.P. 1369.

**LD 1912     Resolve, To Develop the Outdoor Licensed Network**

**RESOLVE 83**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT B	OTP-AM   MAJ ONTP   MIN	S-186

LD 1912 increases registration fees for ATV registrations from \$33 to \$70 for a resident and from \$68 to \$105 for a nonresident. If a person documents at the time of registration current membership in an eligible ATV club that is in good standing with the Secretary of State and recognized by the Department of Conservation as maintaining ATV trails for the public, the fee is reduced to \$30 for a resident and \$65 for a nonresident. It defines "eligible ATV club" to mean a nonprofit organization located in the State established and maintained primarily for purposes involving ATVs and that charges no more than \$20 for an individual membership and \$25 for a family membership. LD 1912 directs the Department of Conservation, in conjunction with the Department of Inland Fisheries and Wildlife, to report to the Joint Standing Committee on Inland Fisheries and Wildlife by January 15, 2009 their findings and recommendations regarding the implementation and enforcement of the reduced registration fees. It has an effective date of June 30, 2008.

**Committee Amendment "A" (S-186)**

This committee amendment replaces the bill and changes the title to "Resolve, to Develop the Outdoor Licensed Network." It directs the Department of Inland Fisheries and Wildlife in consultation with the Department of Conservation and the Joint Standing Committee on Inland Fisheries and Wildlife to develop a plan to create and implement the Outdoor Licensed Network to acquire, preserve and enhance access to land and inland waters of the State, to ensure coordinated planning for the future use and preservation of access for activities licensed by the department and to provide an effective grassroots system to identify, secure and manage access on an ongoing basis. It also provides that the plan must include provisions to divide the State into sections and districts designed to encompass fish and game clubs or similar entities and that those entities must be utilized for the purpose of identifying, monitoring and prioritizing information on land within each district that may be available for acquisition or other access and to deal with landowner issues. This committee amendment provides that the plan must establish the Network Advisory Council to aid fish and game clubs engaged in activities regarding the network and requires the Department of Inland Fisheries and Wildlife to