

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
123RD LEGISLATURE
SECOND REGULAR AND FIRST SPECIAL SESSIONS



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

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

May 2008

MEMBERS:

SEN. BRUCE S. BRYANT, CHAIR
SEN. JOSEPH C. PERRY
SEN. WALTER R. GOOLEY

REP. TROY DALE JACKSON, CHAIR
REP. WALTER A. WHEELER, SR.
REP. JACQUELINE A. LUNDEEN
REP. EDWARD D. FINCH
REP. JANE E. EBERLE
REP. SHERYL J. BRIGGS
REP. DAVID E. RICHARDSON
REP. EVERETT W. MCLEOD, SR.
REP. THOMAS B. SAVIELLO
REP. RALPH W. SARTY

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
123RD LEGISLATURE
SECOND REGULAR & FIRST SPECIAL SESSIONS



**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 Second Regular or First Special Sessions of the 123rd Maine Legislature.

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:

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

The effective date for non-emergency legislation enacted in the Second Regular Session (R2) is June 30, 2008. The effective date for non-emergency legislation enacted in the First Special Session (S1) is July 18, 2008.¹ The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills. Any bill summarized in this document having an LD number less than 1932 was a bill carried over from the First Regular Session of the 123rd Legislature.

¹ The session in which each law was enacted or finally passed (R2 or S1) is included in Appendix C.

Joint Standing Committee on Inland Fisheries and Wildlife

LD 633 An Act To Improve Funding for the State Snowmobile Trail System

**PUBLIC 556
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLARK SHERMAN	OTP-AM MAJ ONTP MIN	H-773

LD 633 is a concept draft pursuant to Joint Rule 208 and proposed to amend the current law to link a person's membership in a snowmobile organization to snowmobile registration fees.

Committee Amendment "A" (H-773)

This amendment replaces the bill and increases the snowmobile registration fee for residents from \$33 to \$35 and directs that the \$2 increase be credited to the Snowmobile Trail Fund of the Department of Conservation, Bureau of Parks and Lands. It also increases the seasonal snowmobile registration for nonresidents from \$68 to \$88.

Enacted Law Summary

Public Law 2007, chapter 556 increases the snowmobile registration fee for residents from \$33 to \$35 and directs that the \$2 increase be credited to the Snowmobile Trail Fund of the Department of Conservation, Bureau of Parks and Lands. It also increases the seasonal snowmobile registration for nonresidents from \$68 to \$88.

Public Law 2007, chapter 566 was enacted as an emergency measure effective April 4, 2008.

LD 654 An Act To Make License Requirements and Rules Consistent for Young Anglers

ONTP

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

LD 654 makes the age requirements for nonresident youth anglers consistent with resident anglers. Under current law a resident angler is not required to have a fishing license until reaching 16 years of age.

LD 1838 An Act To Ensure Safety on Freshwater Ferry Vessels

ONTP

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

LD 1838 provides regulations for ferry boats that operate in state waters that are not under the jurisdiction of the United States Coast Guard as follows:

1. Requires that each ferry be inspected yearly by an accredited marine surveyor;
2. Provides specific inspection requirements of various ferry components;
3. Provides the maximum number of permitted individuals and permitted passengers on a ferry;
4. Provides requirements for the safe operation of a ferry while underway; and

Joint Standing Committee on Inland Fisheries and Wildlife

5. Requires certain preparations for an emergency.

LD 1858 An Act To Protect Inland Water Access

**DIED BETWEEN
HOUSES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON BRYANT B	OTP-AM MAJ ONTP MIN	H-689

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.

Committee Amendment "A" (H-689)

This amendment limits the bill's public hearing requirement to only the restriction or expansion of public access to inland waters that was in existence on July 31, 2008.

LD 1979 An Act Regarding the Use of Designated State-approved ATV Trails

PUBLIC 509

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN	OTP-AM MAJ ONTP MIN	S-443

This bill is a concept draft pursuant to Joint Rule 208 and proposes to allow a landowner to decide who can cross the landowner's property with an all-terrain vehicle and still continue to receive the legal protection of the State.

Committee Amendment "A" (S-443)

This amendment replaces the concept draft and provides that a landowner may limit the use of a designated state-approved ATV trail on that landowner's property through agreements with the State or an ATV club to address environmental, public safety or management concerns. It also clarified that this new provision does not limit or expand a landowner's property rights.

Enacted Law Summary

Public Law 2007, chapter 509 provides that a landowner may limit the use of a designated state-approved ATV trail on that landowner's property through agreements with the State or an ATV club to address environmental, public safety or management concerns. It also clarified that this new provision does not limit or expand a landowner's property rights.

LD 1982 An Act To Amend Certain Provisions of the Fish and Wildlife Laws

**PUBLIC 651
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT B	OTP-AM	S-555 S-558 BRYANT B

This bill does the following:

1. Removes the current 3-month waiting period requirement to become a resident for purposes of obtaining a