

MAINE STATE LEGISLATURE

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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

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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
123RD LEGISLATURE
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**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 2241 Resolve, Regarding Legislative Review of Portions of Chapter 1, Open Water and Ice Fishing Regulations, a Major Substantive Rule of the Department of Inland Fisheries and Wildlife

**DIED BETWEEN
HOUSES**

Sponsor(s)

Committee Report

Amendments Adopted

OTP-AM

H-762

LD 2241 provides for legislative review of portions of Chapter 1: Open Water and Ice Fishing Regulations, a major substantive rule of the Department of Inland Fisheries and Wildlife.

Committee Amendment "A" (H-762)

This amendment authorizes the final adoption of the major substantive rule of the Department of Inland Fisheries and Wildlife that designated state waters that contain Artic Charr as State Heritage Fish Waters if Black Lake in Aroostook County, Rainbow Lake in Piscataquis County and Floods Pond in Hancock County is removed from the proposed list.

LD 2288 Resolve, To Create a Deer Predation Working Group

RESOLVE 191

Sponsor(s)

Committee Report

Amendments Adopted

This resolve is a committee bill relating to the recommendations of the working group created by Resolve 2007, chapter 39. It directs the Commissioner of Inland Fisheries and Wildlife to establish an 8-member deer predation working group to develop policies and protocols for the control of deer predation by coyotes and bear. The working group is directed to report its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters no later than January 5, 2009. The resolve authorizes the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters to submit legislation relating to the report to the First Regular Session of the 124th Legislature.

Enacted Law Summary

Resolve 2007, chapter 191 directs the Commissioner of Inland Fisheries and Wildlife to establish an 8-member deer predation working group to develop policies and protocols for the control of deer predation by coyotes and bear. The working group must report its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters no later than January 5, 2009. Resolve 2007, chapter 191 authorizes the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters to submit legislation relating to the report to the First Regular Session of the 124th Legislature.

LD 2308 Resolve, To Stabilize the Bureau of Warden Service and the Division of Fisheries and Hatcheries

**DIED ON
ADJOURNMENT**

Sponsor(s)

Committee Report

Amendments Adopted

RICHARDSON D

OTP-AM

H-1031

This bill raises certain hunting, fishing and trapping licensing and permit fees by \$2 for residents and \$4 for nonresidents. It also provides that revenue raised by the fee increases must be deposited into a special nonlapsing account within the Department of Inland Fisheries and Wildlife to fund nonpersonal services of the Bureau of

Joint Standing Committee on Inland Fisheries and Wildlife

Warden Service and the fisheries and hatcheries division in amounts equal to 75% and 25%, respectively.

Committee Amendment "A" (H-1031)

This amendment directs the State Controller to transfer up to \$683,000 from General Fund revenue to the Department of Inland Fisheries and Wildlife, Bureau of Warden Service and the fisheries and hatcheries division if there was revenue in excess of the amounts budgeted for the department and for the State. Seventy-five percent of that revenue to be used for non-Personal Services of the bureau and 25% of those funds to be used to fund non-Personal Services of the fisheries and hatcheries division. If the excess revenue is insufficient to meet the \$683,000 amount, the State Controller must transfer an amount equal to the shortage from unencumbered balances in the department.