

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
124<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the First Regular Session of the 124<sup>th</sup> Maine Legislature coming from the

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

July 2009

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# STATE OF MAINE

124<sup>TH</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 124<sup>th</sup> 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:

CARRIED OVER.....	Carried over to a subsequent session of the Legislature
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; bill died
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted; bill died
P&S XXX.....	Chapter # of enacted Private & Special Law
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

The effective date for non-emergency legislation enacted in the First Regular Session of the 124<sup>th</sup> Legislature is September 12, 2009. 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 340      An Act To Provide Greater Access to ATVs by Lowering the Minimum Operating Age**

**DIED BETWEEN HOUSES**

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

LD 340 lowers the minimum age that a person may operate an ATV unaccompanied by an adult from 16 years of age to 14 years of age.

**LD 344      An Act To Allow Smelting on Mud Brook on Long Lake in Aroostook County**

**PUBLIC 218**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON	OTP-AM	S-129

Current law allows smelting on Mud Brook on Long Lake in Aroostook County until July 1, 2012. LD 344 allows smelting on Mud Brook beyond July 1, 2012. The bill also directs the Department of Inland Fisheries and Wildlife to study the feasibility of allowing smelting on Ouellette Brook and Paulette Brook on Long Lake in Aroostook County.

**Committee Amendment "A" (S-129)**

This amendment changes the title and removes the requirement that the Department of Inland Fisheries and Wildlife study the feasibility of allowing smelting on Ouellette Brook and Paulette Brook on Long Lake in Aroostook County.

**Enacted Law Summary**

Public Law 2009, chapter 218 amends the law to allow smelting on Mud Brook beyond July 1, 2012.

**LD 398      Resolve, To Develop a Management Plan for the Nonwildlife Components of Swan Island and Little Swan Island in Perkins Township, Sagadahoc County**

**RESOLVE 35**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOODALL	OTP-AM	S-66

LD 398 provides for the transfer of control and management responsibilities for state-owned land on Swan Island and Little Swan Island in Perkins Township, Sagadahoc County from the Department of Inland Fisheries and Wildlife to the Department of Conservation, Bureau of Parks and Lands.

**Committee Amendment "A" (S-66)**

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

This amendment replaces the bill with a resolve and directs the Department of Inland Fisheries and Wildlife and the Department of Conservation to establish a stakeholder group to evaluate the options available for the management of the nonwildlife components of Swan Island and Little Swan Island. It directs the departments to develop and enter into a memorandum of agreement for the management of the nonwildlife components of the islands based on the recommendations and findings of the stakeholder group. This amendment provides that by February 1, 2010 the departments shall report findings and recommendations of the stakeholder group and provide the departments' memorandum of agreement to the Joint Standing Committee on Inland Fisheries and Wildlife. It authorizes the Joint Standing Committee on Inland Fisheries and Wildlife to submit legislation to the Second Regular Session of the 124th Legislature based on that report.

### **Enacted Law Summary**

Resolve 2009, chapter 35 directs the Department of Inland Fisheries and Wildlife and the Department of Conservation to establish a stakeholder group to evaluate the options available for the management of the nonwildlife components of Swan Island and Little Swan Island. It directs the departments to develop and enter into a memorandum of agreement for the management of the nonwildlife components of the islands based on the recommendations and findings of the stakeholder group. Resolve 2009, chapter 35 provides that by February 1, 2010 the departments shall report findings and recommendations of the stakeholder group and provide the departments' memorandum of agreement to the Joint Standing Committee on Inland Fisheries and Wildlife and authorizes that committee to submit legislation to the Second Regular Session of the 124th Legislature based on that report.

### **LD 402      An Act To Maintain and Improve ATV Trail Access**

**ONTP**

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

LD 402 is a concept draft pursuant to Joint Rule 208. It proposes to amend the current law to improve all-terrain vehicle trail access through landowner relations education for landowners and users and may include a small increase of registration fees to support this educational program.

### **LD 414      An Act To Improve the Safety of Snowmobile Trails**

**ONTP**

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

LD 414 provides that a person or entity that receives money from the Snowmobile Trail Fund shall ensure that all trail markings and signs on the snowmobile trails maintained by that person or entity comply with guidelines regarding snowmobile trail signs published by the Department of Conservation and that a rope, cord, line, chain or similar material does not cross a snowmobile trail and is not used in any way to create a potential hazard on a snowmobile trail. A person or entity that violates these provisions is subject to a fine of not less than \$100 and not more than \$500 and, if the violation causes death or serious bodily injury, ineligibility to receive funding from the Snowmobile Trail Fund for 3 years.