

# 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*

privately owned fish hatchery.

**LD 676      An Act To Lower the Cost of State Government in the Departments  
under the Purview of the Joint Standing Committee on Inland Fisheries  
and Wildlife**

**ACCEPTED ONTP  
REPORT**

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

LD 676 deappropriates \$63,378 in fiscal year 2009-10 and \$87,584 in fiscal year 2010-11 from the Division of Public Information and Education within the Department of Inland Fisheries and Wildlife by eliminating a Public Service Manager I position.

**LD 699      Resolve, To Direct the Department of Inland Fisheries and Wildlife To  
Conduct an Evaluation of Its Sport Fishing Program**

**RESOLVE 47**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUCHESNE TRAHAN	OTP-AM	H-149

LD 699 requires the Commissioner of Inland Fisheries and Wildlife to conduct fisheries management and research initiatives in a manner designed to enhance recreational fishing throughout the State.

**Committee Amendment "A" (H-149)**

This amendment replaces the resolve and directs the Commissioner of Inland Fisheries and Wildlife to evaluate the Department of Inland Fisheries and Wildlife's sport fishing program based on enumerated objectives and to report to the Joint Standing Committee on Inland Fisheries and Wildlife regarding that evaluation by January 31, 2010. It also 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 47 directs the Commissioner of Inland Fisheries and Wildlife to evaluate the Department of Inland Fisheries and Wildlife's sport fishing program based on enumerated objectives and to report to the Joint Standing Committee on Inland Fisheries and Wildlife regarding that evaluation by January 31, 2010. It also 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.

**LD 714      An Act To Empower Anglers in Fish Stocking Decisions**

**PUBLIC 216**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PRATT	OTP-AM	H-246

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

LD 714 requires the Department of Inland Fisheries and Wildlife to publish notification of any fish stocking and to hold a hearing if the department receives a sufficient number of requests for a hearing.

### **Committee Amendment "A" (H-246)**

This amendment replaces the bill and provides that when the Department of Inland Fisheries and Wildlife, Bureau of Resource Management plans to stock an inland water for the first time or to stock a new fish species or permanently stop stocking a fish species that is currently being stocked, the department shall notify the public through its website and by e-mail and allow for public comment on the stocking plan prior to implementing that plan. This requirement does not apply to private ponds or fishing programs for children.

### **Enacted Law Summary**

Public Law 2009, chapter 216 provides that when the Department of Inland Fisheries and Wildlife, Bureau of Resource Management plans to stock an inland water for the first time or to stock a new fish species or permanently stop stocking a fish species that is currently being stocked, the department shall notify the public through its website and by e-mail and allow for public comment on the stocking plan prior to implementing that plan. This requirement does not apply to private ponds or fishing programs for children.

**LD 719      An Act To Allow Nonresidents under 14 Years of Age To Fish without a License      ONTP**

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

LD 719 allows a nonresident under 14 years of age to fish without a license.

**LD 720      An Act To Permit the Commercial Harvesting of Illegal and Nuisance Fish Species      ONTP**

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

LD 720 directs the Commissioner of Inland Fisheries and Wildlife to create an inland waters commercial fishing license that allows the holder to harvest illegally introduced and nuisance fish species from the inland waters of the State for commercial purposes.

**LD 751      Resolve, To Transfer the Phillips Fish Hatchery to the Sandy River Land Trust      ONTP**

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