

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
FIRST REGULAR SESSION



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

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

July 2009

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STATE OF MAINE

124TH 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 First Regular Session of the 124th 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 124th 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.

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9. Increases from \$10 to \$100 the value of items that are exempt from libel proceedings. It also adds archery equipment to items that are subject to forfeiture if used to commit violations of fish and wildlife laws;
10. Enhances enforcement of noise level limits on snowmobile and all-terrain vehicles that have been modified;
11. Changes the timeframe for when allocations are required on the West Branch Penobscot River from June 1st to August 31st to July 1st to August 31st;
12. Provides that the Commissioner of Inland Fisheries and Wildlife may allow authorized anglers who assist in the removal of invasive fish species to sell those fish;
13. Clarifies that the Commissioner of Inland Fisheries and Wildlife may award a cash prize for the winning entry selected in the migratory waterfowl permit design contest;
14. Includes the registration of recreational vehicles in the provisions of law regarding a suspended or revoked license or permit;
15. Amends the definition of "building" for purposes of the prohibition against discharging a firearm or crossbow within 100 yards of a building to clarify that it includes a building that is designed to be occupied by people or domesticated animals;
16. Provides that a person may not carry a firearm during the open trapping season for the purpose of dispatching trapped animals if that person is prohibited from possessing a firearm under the Maine Revised Statutes, Title 15, section 393 and has not obtained a valid permit to carry a firearm; and
17. Clarifies that the holder of a smelt wholesale dealer's license may use a drop net, a lift net or hook and line to take up to 8 quarts of smelts through man-made openings in the ice while fishing on the ice.

LD 822 **An Act To Expand Turkey Hunting Opportunities**

ONTP

Sponsor(s)

PIOTTI

Committee Report

ONTP

Amendments Adopted

LD 822 amends the wild turkey hunting laws as follows.

1. It requires the Commissioner of Inland Fisheries and Wildlife to establish and set the bag limit for the fall and spring seasons at 2 wild turkeys per permit holder per season.
2. It requires the Commissioner of Inland Fisheries and Wildlife to issue upon application a complimentary wild turkey hunting permit to a person holding a valid junior hunting license.
3. It exempts a wild turkey harvested by a junior hunter during a youth wild turkey hunting day from bag limits.
4. It eliminates the current \$20 resident and \$47 nonresident wild turkey hunting permit fees and creates a single \$25 wild turkey hunting permit fee for both residents and nonresidents.
5. It sets the wild turkey hunting hours between 1/2 hour before sunrise and 1/2 hour after sunset.
6. It directs the Commissioner of Inland Fisheries and Wildlife to adopt a registration system that allows a hunter to

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register a harvested wild turkey by telephone or over the Internet.

LD 823 An Act To Increase Snowmobile Registration Fees

PUBLIC 226

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLARK H	OTP-AM MAJ ONTP MIN	H-245

LD 823 amends the snowmobile registration laws to:

1. Establish a snowmobile nontrail registration for anglers, trappers and other snowmobilers who do not use a snowmobile trail that is funded in whole or in part by the Snowmobile Trail Fund;
2. Increase the snowmobile registration fee for a resident from \$35 to \$50;
3. Repeal the 10-day nonresident registration option; and
4. Make it a civil violation for a person to operate a snowmobile on a snowmobile trail that is funded in whole or in part by the Snowmobile Trail Fund if the person does not have a groomed trail system snowmobile registration and sets a fine of \$200 for that violation.

Committee Amendment "A" (H-245)

This amendment replaces the bill and increases the resident snowmobile registration fee by \$5 and dedicates that amount to the Snowmobile Trail Fund of the Department of Conservation, Bureau of Parks and Lands.

Enacted Law Summary

Public Law 2009, chapter 226 increases the resident snowmobile registration fee by \$5 and dedicates that amount to the Snowmobile Trail Fund of the Department of Conservation, Bureau of Parks and Lands.

LD 824 An Act To Allow Authorized Agents to Process Moose Hunting Lottery Applications and Antlerless Deer Permit Applications

PUBLIC 186
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GIFFORD	OTP-AM	H-235

LD 824 establishes a moose permit lottery only for residents who have applied for a permit for at least the 3 prior consecutive years and who have never been issued a moose permit.

Committee Amendment "A" (H-235)

This amendment replaces the bill and allows municipal clerks or other agents appointed by the Commissioner of Inland Fisheries and Wildlife to process moose lottery applications and antlerless deer permit applications and to charge a \$2 agent fee for applications processed by the clerk or agent. It also adds an emergency preamble and an emergency clause.

Enacted Law Summary