

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
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 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.

Joint Standing Committee on Inland Fisheries and Wildlife

LD 930 requires the Department of Conservation, through the Land for Maine's Future Fund, to acquire a sufficient right-of-way to create an all-terrain vehicle trail that enters and leaves Pittston Farm in Rockwood, Maine, using eminent domain if necessary.

LD 942 An Act To Allow Hunting on Sundays on Certain Land

**ACCEPTED ONTP
REPORT**

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

LD 942 allows the Department of Inland Fisheries and Wildlife to authorize a private landowner to open that property on Sunday to hunters who have permits to hunt on Sunday. It provides that the hunter must have obtained written permission from the landowner, which must be kept on the person while hunting and that the fee for a Sunday hunting permit is \$25.

LD 1031 An Act To Protect Moose Populations and Hunting Opportunities

**ACCEPTED ONTP
REPORT**

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

LD 1031 establishes the Moose Fund in the Department of Inland Fisheries and Wildlife to be used to fund or assist in funding research relating to moose. It provides that five percent of the money raised from the public chance drawing for moose hunting permits must be deposited in the fund and used to develop and maintain an accurate estimate of the moose population. LD 1031 also provides that ten percent of the money raised from the public chance drawing for moose hunting permits must be deposited in the fund and used for general research relating to moose, including, but not limited to, the health of the moose herd.

Committee Amendment "A" (H-196)

This amendment is the minority report and increases the moose hunting permit application fees by approximately 15% to cover the amount of money to be directed into the Moose Fund from those fees.

**LD 1099 Resolve, Directing the Department of Inland Fisheries and Wildlife To
Conduct a Study To Identify All Publicly Owned Inland and Coastal
Water Access Sites**

ONTP

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

Joint Standing Committee on Inland Fisheries and Wildlife

LD 1099 requires the Commissioner of Inland Fisheries and Wildlife to contract with outside experts to conduct a study of all publicly owned inland and coastal water access sites, including walk-in and watercraft launching sites, to create a map of all sites and to identify the public's access opportunities and rights at each site.

LD 1135 *Resolve, To Establish the Commission To Examine the Establishment of a Wildlife Sanctuary on Blue Hill Bay*

ONTP

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

LD 1135 establishes a study commission to examine establishing in Hancock County a wildlife sanctuary in a tidal area that has ocean frontage on Blue Hill Bay.

LD 1204 *Resolve, To Develop a Watercraft Safety Education Plan*

RESOLVE 76

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WATSON PERRY J	OTP-AM MAJ ONTP MIN	H-274

LD 1204 requires demonstration of successful completion of an approved course in boating safety for all youth noncommercial motorboat users born after January 1, 1992. It authorizes the Commissioner of Inland Fisheries and Wildlife to issue temporary boating safety certificates that are valid for 90 days with the issuance of the identification number and validation stickers. LD 1204 requires that a person born after January 1, 1992 must present evidence of completion of a boating safety course if requested by a law enforcement officer. It also requires the Commissioner of Inland Fisheries and Wildlife and the Commissioner of Marine Resources to jointly adopt rules to implement the bill and makes violating the boating safety requirements a civil violation. This bill also directs the Commissioner of Inland Fisheries and Wildlife and the Commissioner of Marine Resources to implement a recreational boating safety education program.

Committee Amendment "A" (H-274)

This amendment replaces the bill with a resolve directing the Department of Inland Fisheries and Wildlife to develop a watercraft safety education plan in consultation with stakeholders and interested parties to provide watercraft operators with a basic understanding about the safe operation of watercraft. It also provides that the Department of Inland Fisheries and Wildlife must report its watercraft safety education plan and any findings and recommendations with draft implementing legislation to the Joint Standing Committee on Inland Fisheries and Wildlife by no later than January 5, 2010. This amendment gives that committee the authority to report out legislation to the Second Regular Session of the 124th Legislature regarding the report.

Enacted Law Summary

Resolve 2009, chapter 76 replaces the bill with a resolve directing the Department of Inland Fisheries and Wildlife to develop a watercraft safety education plan in consultation with stakeholders and interested parties to provide watercraft operators with a basic understanding about the safe operation of watercraft. It also provides that the Department of Inland Fisheries and Wildlife must report its watercraft safety education plan and any findings and recommendations with draft implementing legislation to the Joint Standing Committee on Inland Fisheries and Wildlife by no later than January 5, 2010 and gives that committee the authority to report out legislation to the