

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 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

Joint Standing Committee on Inland Fisheries and Wildlife

Second Regular Session of the 124th Legislature regarding the report.

LD 1237 An Act To Modify Maine's Fishway Laws

ONTP

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

LD 1237 includes the Commissioner of Marine Resources with the Commissioner of Inland Fisheries and Wildlife in the laws governing fishways in dams, including a decision whether to initiate a fishway proceeding to consider the construction, repair or alteration of fishways in existing dams or other artificial obstructions and in a decision as to what action, if any, to order as a result of such a proceeding. It also allows 10 or more citizens of this State to petition the commissioners to initiate a fishway proceeding and sets forth conditions whereby the commissioners must order action as the result of a fishway proceeding.

LD 1246 An Act To Promote Youth Hunting License Sales

PUBLIC 404

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HARVELL SIMPSON	OTP-AM	H-276 S-191 BRYANT B

LD 1246 allows the purchase of a lifetime resident license for a nonresident 15 years of age or younger.

Committee Amendment "A" (H-276)

This amendment replaces the bill and allows nonresidents to purchase lifetime licenses issued by the Department of Inland Fisheries and Wildlife. It also directs the Commissioner of Inland Fisheries and Wildlife to report on the administration and sale of lifetime licenses to nonresidents to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters by January 5, 2011.

Senate Amendment "A" To Committee Amendment "A" (S-191)

This amendment changes the fee for a lifetime nonresident infant combination license from \$800 in Committee Amendment "A" to \$1,200.

Enacted Law Summary

Public Law 2009, chapter 404 allows nonresidents to purchase lifetime licenses issued by the Department of Inland Fisheries and Wildlife and directs the Commissioner of Inland Fisheries and Wildlife to report on the administration and sale of lifetime licenses to nonresidents to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters by January 5, 2011.