

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

STATE OF MAINE
124TH LEGISLATURE
SECOND REGULAR SESSION



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

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

April 2010

MEMBERS:

SEN. BRUCE S. BRYANT, CHAIR
SEN. TROY DALE JACKSON
SEN. A. DAVID TRAHAN

REP. HERBERT E. CLARK, CHAIR
REP. WALTER A. WHEELER, SR.
REP. JANE E. EBERLE
REP. SHERYL J. BRIGGS
REP. MICHAEL A. SHAW
REP. PAUL T. DAVIS, SR.
REP. EVERETT W. MCLEOD, SR.
REP. RALPH W. SARTY, JR.
REP. DALE J. CRAFTS
REP. THOMAS B. SAVIELLO

STAFF:

CURTIS C. BENTLEY, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

STATE OF MAINE

124TH LEGISLATURE
SECOND 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 Second 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 HOUSES..... 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 Second Regular Session of the 124th Legislature is Monday, July 12, 2010. 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 1548

Resolve, To Prevent the Spread of Invasive Plants and Protect Maine's Lakes

**RESOLVE 203
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EBERLE JACKSON	OTP-AM	H-724 H-757 EBERLE

LD 1548 prohibits the Commissioner of Inland Fisheries and Wildlife from issuing a permit to a bass club to conduct a bass tournament on a water body that has a confirmed infestation of an invasive aquatic plant. The bill also prohibits the use of a tank truck to withdraw or transport water from a water body that has a confirmed infestation of an invasive aquatic plant if the water is to be used in a pool or pond or for irrigation.

Committee Amendment "A" (H-724)

This amendment replaces the bill with a resolve that does the following.

1. It directs the Department of Environmental Protection and the Department of Inland Fisheries and Wildlife to review all lakes in the State with known infestations of aquatic invasive plant species to determine the type, extent and location of each infestation and its proximity to boat access points and to gather other data about general use of those access points and the extent of local involvement. It also requires the departments to collaborate with lake associations and user groups to identify private boat ramps on lakes infested with aquatic invasive plant species.
2. It directs the Department of Environmental Protection to collect information on the types and extent of surface water extraction and review surface water extraction activities to determine in each case if an informational letter to the extractor regarding the spread of aquatic invasive plant species is necessary to prevent the introduction or spread of an aquatic invasive plant species through the surface water extraction process.
3. It provides that the Department of Environmental Protection and the Department of Inland Fisheries and Wildlife must work cooperatively to increase the effectiveness of educational and outreach efforts.
4. It directs the Department of Environmental Protection and the Department of Inland Fisheries and Wildlife to report to the joint standing committee of the Legislature having jurisdiction over natural resources matters and the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters and the Interagency Task Force on Invasive Aquatic Plants and Nuisance Species by January 2, 2011 on matters contained in this resolve and to report on any new aquatic invasive plant species infestations identified.
5. It directs the Department of Environmental Protection and the Department of Inland Fisheries and Wildlife to facilitate the continued work of an aquatic invasive plant species working group. The working group must continue its work exploring initiatives related to aquatic invasive plant species and collaborate with the Interagency Task Force on Invasive Aquatic Plants and Nuisance Species.
6. It gives the joint standing committee of the Legislature having jurisdiction over natural resources matters and the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters authority to each submit a bill to the First Regular Session of the 125th Legislature pertaining to matters contained in the report.
7. It provides that the Department of Environmental Protection and the Department of Inland Fisheries and Wildlife must meet the requirements in the resolve within existing resources but authorizes those departments to accept outside funding for purposes of the resolve.

Joint Standing Committee on Inland Fisheries and Wildlife

House Amendment "A" To Committee Amendment "A" (H-757)

This amendment removes the authority of the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters and the joint standing committee of the Legislature having jurisdiction over natural resources matters to submit bills to the First Regular Session of the 125th Legislature pertaining to matters contained in the report.

Enacted Law Summary

Resolve 2009, chapter 203 does the following:

1. Directs the Department of Environmental Protection and the Department of Inland Fisheries and Wildlife to review all lakes in the State with known infestations of aquatic invasive plant species to determine the type, extent and location of each infestation and its proximity to boat access points and to gather other data about general use of those access points and the extent of local involvement. It also directs the departments to collaborate with lake associations and user groups to identify private boat ramps on lakes infested with aquatic invasive plant species;
2. Directs the Department of Environmental Protection to collect information on the types and extent of surface water extraction and review surface water extraction activities to determine in each case if an informational letter to the extractor regarding the spread of aquatic invasive plant species is necessary to prevent the introduction or spread of an aquatic invasive plant species through the surface water extraction process;
3. Directs the Department of Environmental Protection and the Department of Inland Fisheries and Wildlife to work cooperatively to increase the effectiveness of educational and outreach efforts;
4. Directs the Department of Environmental Protection and the Department of Inland Fisheries and Wildlife to report to the joint standing committee of the Legislature having jurisdiction over natural resources matters and the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters and the Interagency Task Force on Invasive Aquatic Plants and Nuisance Species by January 2, 2011 on matters contained in this resolve and to report on any new aquatic invasive plant species infestations identified;
5. Directs the Department of Environmental Protection and the Department of Inland Fisheries and Wildlife to facilitate the continued work of an aquatic invasive plant species working group. The working group shall continue its work exploring initiatives related to aquatic invasive plant species and collaborate with the Interagency Task Force on Invasive Aquatic Plants and Nuisance Species; and
6. Provides that the Department of Environmental Protection and the Department of Inland Fisheries and Wildlife must meet the requirements in the resolve within existing resources but authorizes those departments to accept outside funding for purposes of the resolve.

Resolve 2009, chapter 203 was finally passed as an emergency measure effective April 6, 2010.

**LD 1549 An Act To Allow Deer Hunting in Owls Head during Firearms Season
with Shotguns Only**

**ACCEPTED ONTP
REPORT**

Sponsor(s)

MAZUREK

Committee Report

ONTP MAJ
OTP MIN

Amendments Adopted