

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
124<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION



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

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

April 2010

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# STATE OF MAINE

124<sup>TH</sup> 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 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:

|   |  |
|---|--|
| <i>CARRIED OVER</i> .....                             | <i>Carried over to a subsequent session of the Legislature</i>                 |
| <i>CON RES XXX</i> .....                              | <i>Chapter # of Constitutional Resolution passed by both Houses</i>            |
| <i>CONF CMTE UNABLE TO AGREE</i> .....                | <i>Committee of Conference unable to agree; bill died</i>                      |
| <i>DIED BETWEEN HOUSES</i> .....                      | <i>House &amp; Senate disagree; bill died</i>                                  |
| <i>DIED IN CONCURRENCE</i> .....                      | <i>One body accepts ONTP report; the other indefinitely postpones the bill</i> |
| <i>DIED ON ADJOURNMENT</i> .....                      | <i>Action incomplete when session ended; bill died</i>                         |
| <i>EMERGENCY</i> .....                                | <i>Enacted law takes effect sooner than 90 days</i>                            |
| <i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> ..... | <i>Emergency bill failed to get 2/3 vote</i>                                   |
| <i>FAILED ENACTMENT/FINAL PASSAGE</i> .....           | <i>Bill failed to get majority vote</i>  |
| <i>FAILED MANDATE ENACTMENT</i> .....                 | <i>Bill imposing local mandate failed to get 2/3 vote</i>                      |
| <i>NOT PROPERLY BEFORE THE BODY</i> .....             | <i>Ruled out of order by the presiding officers; bill died</i>                 |
| <i>INDEF PP</i> .....                                 | <i>Bill Indefinitely Postponed; bill died</i>                                  |
| <i>ONTP (or Accepted ONTP report)</i> .....           | <i>Ought Not To Pass report accepted; bill died</i>                            |
| <i>P&amp;S XXX</i> .....                              | <i>Chapter # of enacted Private &amp; Special Law</i>                          |
| <i>PUBLIC XXX</i> .....                               | <i>Chapter # of enacted Public Law</i>   |
| <i>RESOLVE XXX</i> .....                              | <i>Chapter # of finally passed Resolve</i>                                     |
| <i>UNSIGNED</i> .....                                 | <i>Bill held by Governor</i>   |
| <i>VETO SUSTAINED</i> .....                           | <i>Legislature failed to override Governor's Veto</i>                          |

The effective date for non-emergency legislation enacted in the Second Regular Session of the 124<sup>th</sup> 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 1549 restricted deer hunting to shotguns only during the firearms season on deer in the mainland portion of the Town of Owls Head and on Sheep Island.

## LD 1614 An Act To Prohibit the Use of Personal Watercraft on Wilson Pond

ACCEPTED ONTP  
REPORT

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| JOHNSON           | ONTP MAJ<br>OTP MIN     |                           |

This bill adds Lower Wilson Pond and Upper Wilson Pond in Piscataquis County to the list of bodies of water on which a person is prohibited from operating personal watercraft.

## LD 1650 An Act To Amend Provisions of Certain Laws Relating to Fish and Wildlife

PUBLIC 550  
EMERGENCY

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u>                |
|-------------------|-------------------------|--|
| BRYANT B          | OTP-AM                  | H-774 CLARK H<br>S-388<br>S-452 BRYANT B |

LD 1650 authorizes hunters to use dogs to hunt wild turkey during the fall season. It also corrects references from assistant game wardens to deputy game wardens.

### Committee Amendment "A" (S-388)

This amendment changes the current night hunting season on coyotes, which runs from December 16th to June 1st, to December 16th to August 31st. It also make permanent a temporary provision of law that allows a person to train up to 6 dogs at a time on bear, expands the time such trainings can occur by one month and requires a person training dogs on wildlife to have a valid hunting license. The amendment prohibits fishing from the fishways at the Chain of Ponds Dam in Chain of Ponds Township in Franklin County and Long Pond Dam in Seven Ponds Township in Franklin County.

### Senate Amendment "B" (S-452)

This amendment increases from four to six the number of dogs a person may use at any one time to hunt bear.

### House Amendment "A" (H-774)

This amendment amends the law prohibiting the corruption of drinking water by clarifying that a hunter may place a carcass on the ice for purposes of coyote hunting. It also exempts coyotes from the waste of game prohibition. The amendment specifies that, except as otherwise provided in a rule adopted by the Department of Inland Fisheries and Wildlife that is specific to a particular body of water in the State, the open water fishing season for 2010 begins on the effective date of the bill. The amendment adds an emergency preamble and emergency clause to the bill.

### Enacted Law Summary

Public Law 2009, chapter 550 does the following:

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

1. It authorizes hunters to use dogs to hunt wild turkey during the fall turkey season and corrects references from assistant game wardens to deputy game wardens;
2. It changes the current night hunting season on coyotes, which runs from December 16th to June 1st, to December 16th to August 31st;
3. It makes permanent a temporary provision of law that allows a person to train up to 6 dogs at a time on bear, expands the time such trainings can occur by one month and requires a person training dogs on wildlife to have a valid hunting license;
4. It prohibits fishing from the fishways at the Chain of Ponds Dam in Chain of Ponds Township in Franklin County and Long Pond Dam in Seven Ponds Township in Franklin County;
5. It increases from 4 to 6 the number of dogs a person may use at any one time to hunt bear;
6. It amends the law prohibiting the corruption of drinking water by clarifying that a hunter may place a carcass on the ice for purposes of coyote hunting;
7. It exempts coyotes from the waste of game prohibition;
8. It specifies that, except as otherwise provided in a rule adopted by the Department of Inland Fisheries and Wildlife that is specific to a particular body of water in the State, the open water fishing season for 2010 begins on March 25, 2010.

Public law 2009, chapter 550 was enacted as an emergency measure effective on March 25, 2010.

**LD 1651      An Act To Clarify and Amend Laws Pertaining to Licenses Issued by  
the Department of Inland Fisheries and Wildlife**

**INDEF PP**

| <u>Sponsor(s)</u> | <u>Committee Report</u>      | <u>Amendments Adopted</u> |
|-------------------|------------------------------|---------------------------|
| BRYANT B          | OTP-AM   MAJ<br>OTP-AM   MIN |                           |

LD 1651 corrects an inconsistency in the fishing license laws resulting from recent fee increases. It clarifies the reporting requirements for agents in order to avoid delinquencies with seasonal agents, and it improves the privacy of Department of Inland Fisheries and Wildlife customers. This bill also allows a person who is eligible for a senior lifetime hunting and fishing license to obtain it at any time in the calendar year that person turns 70 years of age and makes it clear that it includes all stamps, permits and other related permissions.

**Committee Amendment "A" (S-407)**

This amendment designates e-mail addresses received by the Department of Inland Fisheries and Wildlife through its online licensing and registration service as confidential and make those e-mails confidential retroactive to January 1, 2009. The amendment also provides that a person who obtained e-mail addresses from the department's online licensing and registration service through a request under the freedom of access laws between January 1, 2009 and August 1, 2010 may not distribute or use those e-mail addresses for solicitation, communication or notification purposes. It provides that violations of that provision are civil violations for which a fine of not less than \$500 or more than \$1,000 may be adjudged. This amendment also removes the phrase "is entitled to" as proposed in the bill, retaining the phrase "may obtain" from current law regarding senior lifetime licenses to clarify that licenses and permits issued by the department are a privilege and not a right.