

MAINE STATE LEGISLATURE

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STATE OF MAINE
125TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

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

July 2011

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STATE OF MAINE
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LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 125th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD 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 LD is noted to the right of the LD title. The following describes the various final actions.

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; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public Law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 125th Legislature is September 28, 2011. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Inland Fisheries and Wildlife

LD 101 **An Act To Institute a Snaring Program for Coyotes** **ONTP**

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

This bill is a concept draft pursuant to Joint Rule 208.

It proposes to institute a snaring program for coyotes.

LD 107 **An Act To Allow Trapping in Northern Maine without the Written Consent of the Landowner** **LEAVE TO WITHDRAW**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HARVELL MARTIN T	LV/WD	

Current law requires a trapper to obtain written permission from the landowner or occupant of certain property before setting traps on that person's property. This bill limits that requirement to portions of the State situated south of Route 2 west of Bangor and south of Route 9 east of Bangor.

LD 108 **An Act To Amend the Fees for Infant Lifetime Licenses** **PUBLIC 268**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HARVELL TRAHAN	OTP-AM	H-391

This bill changes the license fee for an infant lifetime hunting license for nonresidents to \$150 from \$450.

Committee Amendment "A" (H-391)

This amendment replaces the bill. The bill proposes to reduce the fee for an infant lifetime hunting license for a nonresident from \$450 to \$150, which is the same fee as for a resident. This amendment reduces the fees on all infant lifetime licenses for nonresidents by approximately 55% between December 1, 2011 and March 1, 2015. It also requires the Commissioner of Inland Fisheries and Wildlife to report on the fiscal impact of reducing the fees for the nonresident infant lifetime licenses by January 5, 2015 to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters.

Enacted Law Summary

Public Law 20011, chapter 268 reduces the fee for an infant lifetime hunting license for a nonresident from \$450 to \$150, which is the same fee as for a resident. It also reduces the fees on all infant lifetime licenses for nonresidents by approximately 55% between December 1, 2011 and March 1, 2015. Public Law 2011, chapter 268 requires the Commissioner of Inland Fisheries and Wildlife to report on the fiscal impact of reducing the fees for the nonresident

Joint Standing Committee on Inland Fisheries and Wildlife

infant lifetime licenses by January 5, 2015 to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters.

LD 112 An Act To Discourage Illegal Dumping in the State

PUBLIC 208

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHAW DIAMOND	OTP-AM	H-97 S-113 MARTIN T

This bill allows a court to order the surrender of any license, permit, certification or registration issued by any department or agency of the State held by a person who violates the Maine Litter Control Act.

Committee Amendment "A" (H-97)

This amendment replaces the bill and does the following.

1. It increases the fine for subsequent offenses of illegally disposing of 15 pounds or less or 27 cubic feet or less of litter from a minimum of \$200 to \$500 and the maximum from \$500 to \$1,000.
2. It amends the fine structure for subsequent offenses of illegally disposing of 15 pounds or more or 27 cubic feet or more of litter by increasing the minimum fine to \$2,000.
3. It provides that the court shall require a person who illegally dumps more than 15 pounds or more than 27 cubic feet of litter to pay a party sustaining damages treble the actual damages or \$200, whichever amount is greater, plus the injured party's court costs and attorney's fees.
4. It provides that the court shall require a person who illegally dumps more than 15 pounds or more than 27 cubic feet of litter to perform not less than 100 hours of public service relating to the removal of litter.
5. It provides that the court, when practical, shall require a person who illegally dumps more than 15 pounds or more than 27 cubic feet of litter to remove the litter.
6. It provides that in the case of a person who illegally dumps more than 15 pounds or more than 27 cubic feet of litter, the court shall suspend that person's motor vehicle operator's license and certain licenses, permits and registrations issued by the Department of Inland Fisheries and Wildlife. The court may also suspend any license, permit, registration or certification issued by a state agency or municipality to the person. It exempts a professional license, permit, registration or certification required for that person to operate or establish a business or necessary for the person's primary source of employment unless the items dumped were related to the person's profession or occupation.
7. It provides that the Department of Inland Fisheries and Wildlife's Landowners and Sportsmen Relations Advisory Board shall establish a program to work with courts to identify public service opportunities for violators of litter control laws that could improve landowner and sportsman relations.

Senate Amendment "B" To Committee Amendment "A" (S-113)

This amendment changes the suspension of a motor vehicle operator's license for illegal dumping as specified in Committee Amendment "A" from a mandatory penalty to an optional penalty. It also clarifies that a motor vehicle operator's license may not be suspended by the court if it is necessary for the person's primary source of