

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

age or older may hunt wild birds and wild animals with a crossbow during the open seasons for hunting with bow and arrow and to hunt moose with a crossbow.

Enacted Law Summary

Public law 2011, chapter 61 provides that until January 1, 2015 a person 70 years of age or older may hunt wild birds and wild animals with a crossbow during the open seasons for hunting with bow and arrow. It also allows a person 70 years of age or older to hunt moose with a crossbow.

LD 302 An Act To Allow an Angler To Gift a Freshwater Fish to a Person Who Is Not Licensed To Fish PUBLIC 57

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE JACKSON	OTP-AM	H-69

This bill provides that a person who is not licensed to fish may possess a fish given to that person as long as the gift fish was lawfully caught and is plainly labeled with the name of the person who gave the fish and the year the fish was caught by that person.

Committee Amendment "A" (H-69)

This amendment limits the possession of a gift fish to a person's domicile.

Enacted Law Summary

Public Law 2011, chapter 57 allows a person who is not licensed to fish to possess fish in that person's place of domicile that were given to that person as long as the gift fish was lawfully caught and is plainly labeled with the name of the person who gave the fish and the year the fish was caught by that person.

LD 356 An Act To Prohibit the Use of Certain Motorboats on Lily Pond in Deer Isle ONTP

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

This bill prohibits the use of a motorboat powered by an internal combustion engine on Lily Pond in Deer Isle.

LD 372 An Act To Reduce Deer Predation Carried Over

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

Joint Standing Committee on Inland Fisheries and Wildlife

This bill provides a General Fund appropriation of \$100,000 for fiscal years 2011-12 and 2012-13 to control predation of deer on private and public lands.

Committee Amendment "A" (H-311)

This amendment incorporates a fiscal note.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

LD 378	An Act To Allow the Transfer of Commercial Whitewater Rafting Trips under Extenuating Conditions	PUBLIC 68 EMERGENCY
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCABE SCHNEIDER	OTP-AM MAJ ONTP MIN	H-75

This bill allows the swap of a whitewater rafting allocation between the West Branch Penobscot River, the Kennebec River and the Dead River whenever high-water or low-water conditions prevent whitewater rafting on any of the 3 rivers.

Committee Amendment "A" (H-75)

This amendment provides that the Commissioner of Inland Fisheries and Wildlife under extenuating circumstances may allow the emergency transfer of a commercial whitewater rafting trip from a rapidly flowing river to another rapidly flowing river as long as sufficient water is available in the river to which the commercial whitewater rafting trip is to be transferred. It also directs the department to report annually to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters regarding the implementation of the emergency transfer of commercial whitewater rafting trips.

Enacted Law Summary

Public Law 2011, chapter 68 provides that the Commissioner of Inland Fisheries and Wildlife under extenuating circumstances may allow the emergency transfer of a commercial whitewater rafting trip from a rapidly flowing river to another rapidly flowing river as long as sufficient water is available in the river to which the commercial whitewater rafting trip is to be transferred. It also directs the department to report annually to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters regarding the implementation of the emergency transfer of commercial whitewater rafting trips.

Public Law 2011, chapter 68 was enacted as an emergency measure effective May 9, 2011.

LD 413	An Act To Clarify Standards by Which Recreational Vehicles May Be Stopped	ONTP
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON	ONTP	

This bill permits a game warden to stop and question operators of recreational vehicles only when there is reasonable and articulable suspicion to believe that a violation of the law has occurred or is occurring.