

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
125<sup>TH</sup> 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  
125<sup>TH</sup> LEGISLATURE  
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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 125<sup>th</sup> 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 125<sup>th</sup> 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 1569**

**An Act To Restore the White-tailed Deer Population and Improve  
Maine's Wildlife Economy and Heritage**

**PUBLIC 381**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RAYE	OTP-AM	S-256

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

This bill proposes to enact measures designed to restore the white-tailed deer population and improve the State's wildlife economy and heritage. These measures may include, but are not limited to:

1. Directing the Department of Inland Fisheries and Wildlife to notify the custodian of any state-owned property when a deer wintering area is identified on that property and requiring the custodian of the property to ensure that the property is managed with protection of the deer wintering area as the first priority;
2. Directing the Department of Environmental Protection and the Department of Inland Fisheries and Wildlife to review existing restrictions on the amount of wood ash that may be recycled into fertilizer and soil amendments in order to make it easier to obtain and use wood ash for deer food plots; and
3. Amending the laws governing the Land for Maine's Future program to:
  - A. Require that, in its evaluation of potential projects, the Land for Maine's Future Board give priority to the protection of deer wintering areas;
  - B. With respect to fee acquisitions that are purchased with Land for Maine's Future funds, require state agencies with whom the Land for Maine's Future Board partners to give deer wintering area management special priority; and
  - C. Require that the Department of Conservation and the Department of Inland Fisheries and Wildlife develop projects that protect deer wintering areas and submit those projects for funding to the Land for Maine's Future Board.

**Committee Amendment "A" (S-256)**

This amendment replaces the bill and does the following:

1. It makes the conservation and protection of deer wintering areas a priority for acquisitions funded by the Land for Maine's Future Fund;
2. It requires the Department of Inland Fisheries and Wildlife to establish 5-year benchmarks for managing the deer population in each wildlife management district and report annually to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters with updates on meeting each 5-year benchmark;
3. It provides that prior to final negotiations and legislative and administrative review for the sale of designated lands or an interest in designated lands that contain deer wintering habitat, the Commissioner of Inland Fisheries and Wildlife or the Commissioner of Conservation must notify 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 agriculture, conservation and forestry matters about the intent to make such a sale;

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4. It establishes a Predator Control and Deer Habitat Fund to fund predator control and to enhance deer habitat. It directs the Commissioner of Inland Fisheries and Wildlife to provide checkoff options on its online licensing system to allow a person to make donations to the fund;
5. It directs the Department of Inland Fisheries and Wildlife to secure revenue to enhance the department's efforts in protecting and expanding Maine's deer population;
6. It directs the Department of Inland Fisheries and Wildlife, in cooperation with the Department of Conservation, to develop and implement a plan for all state-owned lands to control predation on deer and a plan to protect, manage and enhance deer wintering areas;
7. It directs the Department of Inland Fisheries and Wildlife to develop plans to restructure and increase the budget of the Division of Public Information and Education and to create an ongoing relationship with the State's deer hunters using surveys, newsletters and its publicly accessible website to keep hunters current and involved in the implementation of the department's Maine Game Plan for Deer;
8. It directs the Department of Inland Fisheries and Wildlife to expand its Maine Game Plan for Deer to the entire State;
9. It directs the Department of Inland Fisheries and Wildlife to develop and implement a program to control predation on deer; and
10. It directs the Department of Inland Fisheries and Wildlife to report to the Joint Standing Committee on Inland Fisheries and Wildlife regarding the department's efforts and progress made to meet the goals of controlling predation on deer as required by the amendment by February 1, 2012.

The amendment also establishes a reporting date of February 1, 2012 for the Department of Inland Fisheries and Wildlife to report to the Joint Standing Committee on Inland Fisheries and Wildlife concerning several provisions of the amendment.

### **Enacted Law Summary**

Public law 2011, chapter 381 does the following:

1. It makes the conservation and protection of deer wintering areas a priority for acquisitions funded by the Land for Maine's Future Fund;
2. It requires the Department of Inland Fisheries and Wildlife to establish 5-year benchmarks for managing the deer population in each wildlife management district and report annually to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters with updates on meeting each 5-year benchmark;
3. It provides that prior to final negotiations and legislative and administrative review for the sale of designated lands or an interest in designated lands that contain deer wintering habitat, the Commissioner of Inland Fisheries and Wildlife or the Commissioner of Conservation must notify 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 agriculture, conservation and forestry matters about the intent to make such a sale;
4. It establishes a Predator Control and Deer Habitat Fund to fund predator control and to enhance deer habitat. It directs the Commissioner of Inland Fisheries and Wildlife to provide checkoff options on its online licensing system to allow a person to make donations to the fund;

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5. It directs the Department of Inland Fisheries and Wildlife to secure revenue to enhance the department's efforts in protecting and expanding Maine's deer population;
6. It directs the Department of Inland Fisheries and Wildlife, in cooperation with the Department of Conservation, to develop and implement a plan for all state-owned lands to control predation on deer and a plan to protect, manage and enhance deer wintering areas;
7. It directs the Department of Inland Fisheries and Wildlife to develop plans to restructure and increase the budget of the Division of Public Information and Education and to create an ongoing relationship with the State's deer hunters using surveys, newsletters and its publicly accessible website to keep hunters current and involved in the implementation of the department's Maine Game Plan for Deer;
8. It directs the Department of Inland Fisheries and Wildlife to expand its Maine Game Plan for Deer to the entire State;
9. It directs the Department of Inland Fisheries and Wildlife to develop and implement a program to control predation on deer; and
10. It directs the Department of Inland Fisheries and Wildlife to report to the Joint Standing Committee on Inland Fisheries and Wildlife regarding the department's efforts and progress made to meet the goals of controlling predation on deer as required by this law by February 1, 2012.

Public law 2011, chapter 381 also establishes a reporting date of February 1, 2012 for the Department of Inland Fisheries and Wildlife to report to the Joint Standing Committee on Inland Fisheries and Wildlife concerning several provisions of this law.