

MAINE STATE LEGISLATURE

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STATE OF MAINE
125TH LEGISLATURE
SECOND REGULAR SESSION



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

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

June 2012

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STATE OF MAINE

125TH 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 Second 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.

<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; legislation died</i>
<i>DIED BETWEEN HOUSES</i>	<i>House & Senate disagreed; legislation died</i>
<i>DIED IN CONCURRENCE</i>	<i>defeated in each house, but on different motions; legislation died</i>
<i>DIED ON ADJOURNMENT</i>	<i>action incomplete when session ended; legislation died</i>
<i>EMERGENCY</i>	<i>enacted law takes effect sooner than 90 days after session adjournment</i>
<i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i>	<i>emergency failed to receive required 2/3 vote</i>
<i>FAILED, ENACTMENT or FINAL PASSAGE</i>	<i>failed to receive final majority vote</i>
<i>FAILED, MANDATE ENACTMENT</i>	<i>legislation proposing local mandate failed required 2/3 vote</i>
<i>HELD BY GOVERNOR</i>	<i>Governor has not signed; final disposition to be determined at subsequent session</i>
<i>LEAVE TO WITHDRAW</i>	<i>sponsor's request to withdraw legislation granted</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>ruled out of order by the presiding officer; legislation died</i>
<i>INDEF PP</i>	<i>indefinitely postponed; legislation died</i>
<i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i> ...	<i>ought-not-to-pass report accepted; legislation died</i>
<i>P&S XXX</i>	<i>chapter # of enacted private & 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>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 125th Legislature is Thursday, August 30, 2012. 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 1849 An Act To Protect Landlocked Salmon Fisheries in Schoodic and Seboeis Lakes from Invasive Fish Species

PUBLIC 612

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THOMAS	OTP-AM	S-496

This bill prohibits the construction of a fishway or fish bypass structure at the dams at the outlets of Schoodic Lake and Seboeis Lake that would allow the upstream passage of an invasive fish species known to be present downstream in the Piscataquis River or Penobscot River drainage.

Committee Amendment "A" (S-496)

The amendment prohibits the construction of a fishway or fish bypass structure at the dams at the outlets of Schoodic Lake and Seboeis Lake that would allow the upstream passage of invasive fish species known to be present downstream in the Piscataquis River or Penobscot River drainage. It also requires that the Commissioner of Inland Fisheries and Wildlife and the Commissioner of Marine Resources act jointly in requiring a fishway to be erected, maintained, repaired or altered on any dam within inland waters frequented by anadromous or migratory fish species. It also prohibits the commissioners from requiring or authorizing a fishway or fish bypass structure at the dams at the outlets of Schoodic Lake and Seboeis Lake. The amendment also requires both commissioners to participate in the review process and decision on the proposed construction of new dams on inland waters.

Enacted Law Summary

Public Law 2011, chapter 612 prohibits the construction of a fishway or fish bypass structure at the dams at the outlets of Schoodic Lake and Seboeis Lake that would allow the upstream passage of invasive fish species known to be present downstream in the Piscataquis River or Penobscot River drainage. It also requires that the Commissioner of Inland Fisheries and Wildlife and the Commissioner of Marine Resources act jointly in requiring a fishway to be erected, maintained, repaired or altered on any dam within inland waters frequented by anadromous or migratory fish species. It also prohibits the commissioners from requiring or authorizing a fishway or fish bypass structure at the dams at the outlets of Schoodic Lake and Seboeis Lake. Public Law 2011, chapter 612 also requires both commissioners to participate in the review process and decision on the proposed construction of new dams on inland waters.

LD 1876 Resolve, Establishing Surface Use Restrictions on Great Meadow Stream and the Northern Portion of North Bay on Great Pond

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KESCHL SAVIELLO		

This resolve imposes temporary surface use restrictions on Great Meadow Stream and the northern portion of North Bay on Great Pond in the towns of Belgrade, Rome and Smithfield. A person may not operate a watercraft in the restricted area except in the case of an emergency in which property or human safety is endangered or if the operation of a watercraft is authorized by the Department of Environmental Protection to survey for and remove invasive aquatic plants or to deploy and maintain fragment nets and buoys. A person may not fish in the restricted area. The restrictions begin April 1, 2012 and end January 1, 2013.