

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION



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

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

May 2014

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STATE OF MAINE
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LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

The *Digest* is arranged 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.

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 HOUSESHouse & 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
EMERGENCYenacted 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 Second Regular Session of the 126th Legislature is August 1, 2014. 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 931 An Act To Prevent Fish Kills and To Allow for Recreational Use of
Sebago Lake**

**Leave to Withdraw
Pursuant to Joint
Rule**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHAW PLUMMER		

This bill was carried over from the First Regular Session of the 126th Legislature. It establishes water flow requirements for a dam and bypass area that controls the water level of Sebago Lake and the flows entering the Presumpscot River to prevent fish kills and to allow for recreational use of public access to Sebago Lake.

LD 1626 An Act To Fund Invasive Species Prevention and Control

**PUBLIC 580
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCLELLAN	OTP-AM OTP-AM	H-692 H-750 SHAW

This bill increases the fees collected for watercraft operating on inland waters of the State by \$7 for residents and establishes a \$35 fee for nonresidents. It also directs the Department of Environmental Protection to establish a program within the department that uses the revenue from the increased fees to work on removing invasive aquatic plants that exist in lakes of 10,000 acres or more in area. The department is also directed to establish a long-term management program to prevent future infestation of invasive aquatic plants.

Committee Amendment "A" (H-692)

This amendment, which is the majority report of the committee, increases the fees collected for watercraft operating on inland waters of the State by \$5 beginning in 2015. This amendment also increases the lake and river protection sticker fee for nonresidents by \$5. It directs that the revenue from these increased fees be directed to the Invasive Aquatic Plant and Nuisance Species Fund established within the Department of Environmental Protection beginning in 2015. Finally, this amendment eliminates the proposed invasive aquatic plant removal and long-term management programs within the Department of Environmental Protection and the proposed nonresident registration fees that are contained in the bill.

The amendment also strikes the emergency preamble and emergency clause and adds an appropriations and allocations section.

Committee Amendment "B" (H-693)

This amendment, which is the minority report, replaces the bill. It requires the Department of Inland Fisheries and Wildlife and the Department of Environmental Protection to report annually on the Lake and River Protection Fund and the Invasive Aquatic Plant and Nuisance Species Fund, respectively, and activities and accomplishments related to invasive species prevention and control supported by the funds, to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters.

House Amendment "C" To Committee Amendment "A" (H-750)

This amendment retains the emergency preamble and emergency clause in the bill. It removes from Committee Amendment "A" the provisions that increase fees for watercraft operating on the inland waters of the State and for lake and river protection stickers. It increases from 60% to 80% the percentage of these fees that is dedicated to the

Joint Standing Committee on Inland Fisheries and Wildlife

Invasive Aquatic Plant and Nuisance Species Fund in the Department of Environmental Protection and reduces from 40% to 20% the percentage of these fees that is dedicated to the Lake and River Protection Fund in the Department of Inland Fisheries and Wildlife. It requires the Commissioner of Environmental Protection to use at least 20% of the money in the Invasive Aquatic Plant and Nuisance Species Fund for eradication activities. It allocates funds from the Inland Fisheries and Wildlife Carrying Account, General Fund account within the Department of Inland Fisheries and Wildlife to the Lake and River Protection Fund in an amount equal to the reduction in funding to the Lake and River Protection Fund caused by the reduction in the percentage of fees dedicated to the fund for the current biennium.

Enacted Law Summary

Public Law 2013, chapter 580 increases from 60% to 80% the percentage of fees for watercraft operating on the inland waters of the State and for lake and river protection stickers that is dedicated to the Invasive Aquatic Plant and Nuisance Species Fund in the Department of Environmental Protection, and reduces from 40% to 20% the percentage of these fees that is dedicated to the Lake and River Protection Fund in the Department of Inland Fisheries and Wildlife. It requires the Commissioner of Environmental Protection to use at least 20% of the money in the Invasive Aquatic Plant and Nuisance Species Fund for eradication activities. It allocates funds from the Inland Fisheries and Wildlife Carrying Account, General Fund account within the Department of Inland Fisheries and Wildlife to the Lake and River Protection Fund in an amount equal to the reduction in funding to the Lake and River Protection Fund caused by the reduction in the percentage of fees dedicated to the fund for the current biennium.

Public Law 2014, chapter 580 was enacted as an emergency measure effective April 29, 2014.

**LD 1667 An Act To Amend Certain Provisions of Inland Fisheries and Wildlife
Laws**

**PUBLIC 538
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUTREMBLE	OTP-AM	S-474 H-806 SHAW

This bill makes the following changes to inland fisheries and wildlife laws.

1. It eliminates the delinquency fee charged to agents of the Department of Inland Fisheries and Wildlife who sell licenses and registrations for the department but fail to remit the funds within 60 days.
2. It clarifies changes made by Public Law 2013, chapter 236 (LD 1015) to the laws regarding hunting with a crossbow.
3. It clarifies a change made to the law regarding resident junior hunting licenses to specify that the license does not exempt the holder from having to comply with the requirements of the lottery process, including those of the lottery for an antlerless deer permit.
4. It corrects an error made in Public Law 2013, chapter 408 (LD 1435), which amended the qualifications for an antlerless deer permit for a person with a disability and inadvertently removed from eligibility a person who is suffering from the permanent loss of use of both lower limbs.
5. It adds the discharge of a bow and arrow to the prohibition against discharging a weapon over or near a public paved way.
6. It resolves a conflict created by Public Law 2013, chapters 380 (LD 932) and 408 (LD 1435), which repealed the same provisions of law regarding nonresident junior fishing licenses, except that chapter 380 delayed the repeal