

**STATE OF MAINE**  
124<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the Second Regular Session of the 124<sup>th</sup> Maine Legislature coming from the

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

April 2010

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# *Joint Standing Committee on Inland Fisheries and Wildlife*

**LD 807      An Act To Improve and Promote Maine's Landlocked Salmon Resources**

**ONTP**

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

LD 807 was carried over from the First Regular Session and provides that:

1. By no later than July 1, 2014, no fewer than 75 inland waters containing landlocked salmon must be managed to produce salmon that exceed 4 pounds in weight;
2. By October 1, 2009, the Commissioner of Inland Fisheries and Wildlife must initiate a pilot project to stock Echo Lake and Eagle Lake on Mount Desert Island with only fall fingerling hatchery salmon on an alternate-year basis and the rule-making process to restrict salmon fishing to catch and release on one or more waters where salmon is the primary fishery; and
3. By October 1, 2009, the Commissioner of Inland Fisheries and Wildlife must initiate a 5-year experimental program to enhance landlocked salmon brood stock by taking landlocked salmon eggs from salmon brood stock that is 5 years of age or older and develop a new landlocked salmon brood stock source composed of wild salmon.

**LD 1508      Resolve, Directing the Department of Inland Fisheries and Wildlife To Adopt Rules Clarifying Fish Stocking Decisions**

**ACCEPTED ONTP  
REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUCHESNE	ONTP MAJ OTP MIN	

This resolve directs the Department of Inland Fisheries and Wildlife to adopt major substantive rules clarifying fish stocking decisions in public waters.

**LD 1509      An Act To Amend the Current Moose Permit System and Preference Point System in Maine**

**ONTP**

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

LD 1509 amends the law governing the public drawings for moose hunting permits. It allows for the purchase of an unlimited number of chances in the moose lottery after the purchase of a 6-chance application. This bill also implements 2 special permit drawings before the public chance drawings. The first, with 500 permits awarded, is for those who have the maximum amount of bonus points accumulated because they have consistently applied for but never received a moose hunting permit. The 2nd, with 1/3 of the remaining available permits, is for residents who have 7 or more points accumulated.

*Joint Standing Committee on Inland Fisheries and Wildlife*

**LD 1519 An Act To Ensure Search and Rescue Dogs Are Afforded Access to Public Accommodations without an Extra Charge**

**PUBLIC 543**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GERZOFSKY	OTP-AM	S-387

LD 1519 provides that Department of Inland Fisheries and Wildlife personnel have the right to be accompanied by a search and rescue dog in any place of public accommodation without charge.

**Committee Amendment "A" (S-387)**

This amendment provides that a person assisting the Commissioner of Inland Fisheries and Wildlife with a search and rescue dog certified by or in training with an organization recognized by the Department of Inland Fisheries and Wildlife, Bureau of Warden Service may be accompanied by the search and rescue dog in an inn, hotel, motel or other place of lodging without being required to pay an extra charge or a security deposit for the search and rescue dog. The owner of the search and rescue dog is liable for any damages done to the premises by that animal.

**Enacted Law Summary**

Public Law 2009, chapter 543 provides that a person assisting the Commissioner of Inland Fisheries and Wildlife with a search and rescue dog certified by or in training with an organization recognized by the Department of Inland Fisheries and Wildlife, Bureau of Warden Service may be accompanied by the search and rescue dog in an inn, hotel, motel or other place of lodging without being required to pay an extra charge or a security deposit for the search and rescue dog. The owner of the search and rescue dog is liable for any damages done to the premises by that animal.

**LD 1536 An Act To Amend the Standards by Which Game Wardens May Stop All-terrain Vehicles when Operating on Private Property**

**DIED BETWEEN HOUSES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SARTY DIAMOND	OTP MAJ ONTP MIN	

Current law provides that a law enforcement officer may stop an all-terrain vehicle to ascertain whether a violation of the law has occurred if the law enforcement officer has a reasonable and articulable suspicion to believe that a violation of the law has taken place. LD 1536 allows a law enforcement officer to stop an all-terrain vehicle operated on privately owned property without a reasonable and articulable suspicion to believe a violation of the law has occurred.

# Joint Standing Committee on Inland Fisheries and Wildlife

**LD 1548      Resolve, To Prevent the Spread of Invasive Plants and Protect Maine's  
Lakes**

**RESOLVE 203  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EBERLE JACKSON	OTP-AM	H-724 H-757 EBERLE

LD 1548 prohibits the Commissioner of Inland Fisheries and Wildlife from issuing a permit to a bass club to conduct a bass tournament on a water body that has a confirmed infestation of an invasive aquatic plant. The bill also prohibits the use of a tank truck to withdraw or transport water from a water body that has a confirmed infestation of an invasive aquatic plant if the water is to be used in a pool or pond or for irrigation.

### **Committee Amendment "A" (H-724)**

This amendment replaces the bill with a resolve that does the following.

1. It directs the Department of Environmental Protection and the Department of Inland Fisheries and Wildlife to review all lakes in the State with known infestations of aquatic invasive plant species to determine the type, extent and location of each infestation and its proximity to boat access points and to gather other data about general use of those access points and the extent of local involvement. It also requires the departments to collaborate with lake associations and user groups to identify private boat ramps on lakes infested with aquatic invasive plant species.
2. It directs the Department of Environmental Protection to collect information on the types and extent of surface water extraction and review surface water extraction activities to determine in each case if an informational letter to the extractor regarding the spread of aquatic invasive plant species is necessary to prevent the introduction or spread of an aquatic invasive plant species through the surface water extraction process.
3. It provides that the Department of Environmental Protection and the Department of Inland Fisheries and Wildlife must work cooperatively to increase the effectiveness of educational and outreach efforts.
4. It directs the Department of Environmental Protection and the Department of Inland Fisheries and Wildlife to report to the joint standing committee of the Legislature having jurisdiction over natural resources matters and the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters and the Interagency Task Force on Invasive Aquatic Plants and Nuisance Species by January 2, 2011 on matters contained in this resolve and to report on any new aquatic invasive plant species infestations identified.
5. It directs the Department of Environmental Protection and the Department of Inland Fisheries and Wildlife to facilitate the continued work of an aquatic invasive plant species working group. The working group must continue its work exploring initiatives related to aquatic invasive plant species and collaborate with the Interagency Task Force on Invasive Aquatic Plants and Nuisance Species.
6. It gives the joint standing committee of the Legislature having jurisdiction over natural resources matters and the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters authority to each submit a bill to the First Regular Session of the 125th Legislature pertaining to matters contained in the report.
7. It provides that the Department of Environmental Protection and the Department of Inland Fisheries and Wildlife must meet the requirements in the resolve within existing resources but authorizes those departments to accept outside funding for purposes of the resolve.

# *Joint Standing Committee on Inland Fisheries and Wildlife*

## **House Amendment "A" To Committee Amendment "A" (H-757)**

This amendment removes the authority of 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 natural resources matters to submit bills to the First Regular Session of the 125th Legislature pertaining to matters contained in the report.

### **Enacted Law Summary**

Resolve 2009, chapter 203 does the following:

1. Directs the Department of Environmental Protection and the Department of Inland Fisheries and Wildlife to review all lakes in the State with known infestations of aquatic invasive plant species to determine the type, extent and location of each infestation and its proximity to boat access points and to gather other data about general use of those access points and the extent of local involvement. It also directs the departments to collaborate with lake associations and user groups to identify private boat ramps on lakes infested with aquatic invasive plant species;
2. Directs the Department of Environmental Protection to collect information on the types and extent of surface water extraction and review surface water extraction activities to determine in each case if an informational letter to the extractor regarding the spread of aquatic invasive plant species is necessary to prevent the introduction or spread of an aquatic invasive plant species through the surface water extraction process;
3. Directs the Department of Environmental Protection and the Department of Inland Fisheries and Wildlife to work cooperatively to increase the effectiveness of educational and outreach efforts;
4. Directs the Department of Environmental Protection and the Department of Inland Fisheries and Wildlife to report to the joint standing committee of the Legislature having jurisdiction over natural resources matters and the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters and the Interagency Task Force on Invasive Aquatic Plants and Nuisance Species by January 2, 2011 on matters contained in this resolve and to report on any new aquatic invasive plant species infestations identified;
5. Directs the Department of Environmental Protection and the Department of Inland Fisheries and Wildlife to facilitate the continued work of an aquatic invasive plant species working group. The working group shall continue its work exploring initiatives related to aquatic invasive plant species and collaborate with the Interagency Task Force on Invasive Aquatic Plants and Nuisance Species; and
6. Provides that the Department of Environmental Protection and the Department of Inland Fisheries and Wildlife must meet the requirements in the resolve within existing resources but authorizes those departments to accept outside funding for purposes of the resolve.

Resolve 2009, chapter 203 was finally passed as an emergency measure effective April 6, 2010.

**LD 1549      An Act To Allow Deer Hunting in Owls Head during Firearms Season  
with Shotguns Only**

**ACCEPTED ONTP  
REPORT**

Sponsor(s)

MAZUREK

Committee Report

ONTP MAJ  
OTP MIN

Amendments Adopted

# Joint Standing Committee on Inland Fisheries and Wildlife

LD 1549 restricted deer hunting to shotguns only during the firearms season on deer in the mainland portion of the Town of Owls Head and on Sheep Island.

## LD 1614 An Act To Prohibit the Use of Personal Watercraft on Wilson Pond

ACCEPTED ONTP  
REPORT

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHNSON	ONTP MAJ OTP MIN	

This bill adds Lower Wilson Pond and Upper Wilson Pond in Piscataquis County to the list of bodies of water on which a person is prohibited from operating personal watercraft.

## LD 1650 An Act To Amend Provisions of Certain Laws Relating to Fish and Wildlife

PUBLIC 550  
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT B	OTP-AM	H-774 CLARK H S-388 S-452 BRYANT B

LD 1650 authorizes hunters to use dogs to hunt wild turkey during the fall season. It also corrects references from assistant game wardens to deputy game wardens.

### Committee Amendment "A" (S-388)

This amendment changes the current night hunting season on coyotes, which runs from December 16th to June 1st, to December 16th to August 31st. It also make permanent a temporary provision of law that allows a person to train up to 6 dogs at a time on bear, expands the time such trainings can occur by one month and requires a person training dogs on wildlife to have a valid hunting license. The amendment prohibits fishing from the fishways at the Chain of Ponds Dam in Chain of Ponds Township in Franklin County and Long Pond Dam in Seven Ponds Township in Franklin County.

### Senate Amendment "B" (S-452)

This amendment increases from four to six the number of dogs a person may use at any one time to hunt bear.

### House Amendment "A" (H-774)

This amendment amends the law prohibiting the corruption of drinking water by clarifying that a hunter may place a carcass on the ice for purposes of coyote hunting. It also exempts coyotes from the waste of game prohibition. The amendment specifies that, except as otherwise provided in a rule adopted by the Department of Inland Fisheries and Wildlife that is specific to a particular body of water in the State, the open water fishing season for 2010 begins on the effective date of the bill. The amendment adds an emergency preamble and emergency clause to the bill.

### Enacted Law Summary

Public Law 2009, chapter 550 does the following:

## *Joint Standing Committee on Inland Fisheries and Wildlife*

1. It authorizes hunters to use dogs to hunt wild turkey during the fall turkey season and corrects references from assistant game wardens to deputy game wardens;
2. It changes the current night hunting season on coyotes, which runs from December 16th to June 1st, to December 16th to August 31st;
3. It makes permanent a temporary provision of law that allows a person to train up to 6 dogs at a time on bear, expands the time such trainings can occur by one month and requires a person training dogs on wildlife to have a valid hunting license;
4. It prohibits fishing from the fishways at the Chain of Ponds Dam in Chain of Ponds Township in Franklin County and Long Pond Dam in Seven Ponds Township in Franklin County;
5. It increases from 4 to 6 the number of dogs a person may use at any one time to hunt bear;
6. It amends the law prohibiting the corruption of drinking water by clarifying that a hunter may place a carcass on the ice for purposes of coyote hunting;
7. It exempts coyotes from the waste of game prohibition;
8. It specifies that, except as otherwise provided in a rule adopted by the Department of Inland Fisheries and Wildlife that is specific to a particular body of water in the State, the open water fishing season for 2010 begins on March 25, 2010.

Public law 2009, chapter 550 was enacted as an emergency measure effective on March 25, 2010.

**LD 1651      An Act To Clarify and Amend Laws Pertaining to Licenses Issued by  
the Department of Inland Fisheries and Wildlife**

**INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT B	OTP-AM   MAJ OTP-AM   MIN	

LD 1651 corrects an inconsistency in the fishing license laws resulting from recent fee increases. It clarifies the reporting requirements for agents in order to avoid delinquencies with seasonal agents, and it improves the privacy of Department of Inland Fisheries and Wildlife customers. This bill also allows a person who is eligible for a senior lifetime hunting and fishing license to obtain it at any time in the calendar year that person turns 70 years of age and makes it clear that it includes all stamps, permits and other related permissions.

**Committee Amendment "A" (S-407)**

This amendment designates e-mail addresses received by the Department of Inland Fisheries and Wildlife through its online licensing and registration service as confidential and make those e-mails confidential retroactive to January 1, 2009. The amendment also provides that a person who obtained e-mail addresses from the department's online licensing and registration service through a request under the freedom of access laws between January 1, 2009 and August 1, 2010 may not distribute or use those e-mail addresses for solicitation, communication or notification purposes. It provides that violations of that provision are civil violations for which a fine of not less than \$500 or more than \$1,000 may be adjudged. This amendment also removes the phrase "is entitled to" as proposed in the bill, retaining the phrase "may obtain" from current law regarding senior lifetime licenses to clarify that licenses and permits issued by the department are a privilege and not a right.

## *Joint Standing Committee on Inland Fisheries and Wildlife*

### **Senate Amendment "B" To Committee Amendment "A" (S-473)**

This amendment provides that e-mail addresses provided to the Department of Inland Fisheries and Wildlife by its customers through its online licensing and registration system are public records unless a customer indicates at the time of the online transaction that the customer's e-mail address is confidential. It also provides that an e-mail address provided to the department by a customer through its online licensing and registration system before April 2, 2010 that was obtained by a person through a request for information may not be used for solicitation, communication or notification purposes and that a violation of this provision is a civil violation for which a fine of not less than \$500 or more than \$1,000 may be adjudged.

### **LD 1689     An Act To Increase Payments to Agents Who Provide Tags for Wild Game**

**ONTP**

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

LD 1689 increases the fee that an agent collects from a person registering a bear, deer, moose or wild turkey from \$5 to \$7, and allows the agent to retain the additional \$2.

### **LD 1723     An Act To Allow the Electronic Registration of Big Game Animals**

**DIED BETWEEN HOUSES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT B	ONTP MAJ OTP-AM MIN	

LD 1723 authorizes the electronic registration of big game animals and requires the Commissioner of Inland Fisheries and Wildlife to adopt rules to establish and maintain an online system to allow a person to register a moose, deer, bear or wild turkey electronically.

*Joint Standing Committee on Inland Fisheries and Wildlife*

**SUBJECT INDEX**

*Agents*

Not Enacted

LD 1689      An Act To Increase Payments to Agents Who Provide Tags for Wild Game      ONTP

*All-terrain Vehicles*

Not Enacted

LD 1536      An Act To Amend the Standards by Which Game Wardens May Stop All-terrain Vehicles when Operating on Private Property      DIED BETWEEN HOUSES

*Dogs and Dog Training*

Enacted

LD 1519      An Act To Ensure Search and Rescue Dogs Are Afforded Access to Public Accommodations without an Extra Charge      PUBLIC 543

*Fish and Fishing*

Not Enacted

LD 807      An Act To Improve and Promote Maine's Landlocked Salmon Resources      ONTP

LD 1508      Resolve, Directing the Department of Inland Fisheries and Wildlife To Adopt Rules Clarifying Fish Stocking Decisions      ACCEPTED ONTP REPORT

*Hunting*

Not Enacted

LD 1549      An Act To Allow Deer Hunting in Owls Head during Firearms Season with Shotguns Only      ACCEPTED ONTP REPORT

*Invasive Aquatic Plants*

Enacted

LD 1548      Resolve, To Prevent the Spread of Invasive Plants and Protect Maine's Lakes      RESOLVE 203 EMERGENCY

*Licenses and Permits*

**Not Enacted**

LD 1509      **An Act To Amend the Current Moose Permit System and Preference Point System in Maine**      **ONTP**

***Omnibus***

**Enacted**

LD 1650      **An Act To Amend Provisions of Certain Laws Relating to Fish and Wildlife**      **PUBLIC 550  
EMERGENCY**

**Not Enacted**

LD 1651      **An Act To Clarify and Amend Laws Pertaining to Licenses Issued by the Department of Inland Fisheries and Wildlife**      **INDEF PP**

***Registration***

**Not Enacted**

LD 1723      **An Act To Allow the Electronic Registration of Big Game Animals**      **DIED BETWEEN  
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***Watercraft***

**Not Enacted**

LD 1614      **An Act To Prohibit the Use of Personal Watercraft on Wilson Pond**      **ACCEPTED ONTP  
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