

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

**STATE OF MAINE
117TH LEGISLATURE**

SECOND REGULAR SESSION

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

JUNE 1996

MEMBERS:

Sen. Stephen E. Hall, Chair

Sen. R. Leo Kieffer

Sen. Michael H. Michaud

Rep. Ernest C. Greenlaw, Chair

Rep. Paul F. Jacques

Rep. Herbert E. Clark

Rep. Norman R. Paul

Rep. Jon M. Rosebush

Rep. Thomas M. Tyler

Rep. Robert L. Tufts

Rep. Howard A. Chick

Rep. Royce W. Perkins

Rep. John Underwood

Staff:

Patrick T. Norton, Principal Analyst

Office of Policy and Legal Analysis

Room 101/107/135, 13 State House Station

Augusta, ME 04333

(207)287-1670



**Maine State Legislature
OFFICE OF POLICY AND LEGAL ANALYSIS**

13 State House Station, Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

**ONE HUNDRED SEVENTEENTH LEGISLATURE
SECOND REGULAR SESSION**

***Summary Of Legislation Before The Joint Standing Committees
June 1996***

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills.

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</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; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</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>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is July 4, 1996.

Enacted law summary

Public Law 1995, chapter 695, requires watercraft registrations and certificates of number issued after July 1, 1996 be valid for specific calendar years, rather than for the 12-month period following the date the certificates of number are issued. The law also the Task Force to Study the Operations of the Department of Inland Fisheries and Wildlife to meet in June to evaluate the department's progress without per diem or expenses.

Chapter 695 was enacted as an emergency measure effective April 11, 1996.

LD 1737 An Act to Improve the Ability of Potential Users of Private Land to Seek Permission from Landowners ONTP

Sponsor(s)
STUDY BILL

Committee Report
ONTP

Amendments Adopted

LD 1737 proposed to permit the Support Landowners Program within the Department of Inland Fisheries and Wildlife, also known as the Landowner Relations Program, to encourage landowners who allow access to their property only with permission to conspicuously post signs on the property containing the name and address of the owner or another person with authority to grant permission. The substance of this bill was incorporated into LD 1645.

**LD 1820 An Act to Amend the Laws Concerning Commercial Whitewater Rafting CONF CMTE
UNABLE TO AGREE**

Sponsor(s)
MICHAUD

Committee Report
OTP-AM

Amendments Adopted

LD 1820 proposed to allow 2 members of an affiliated group to conduct whitewater trips on an allocated river if each member of the affiliated group had been awarded an allocation for that river. The bill also proposed to clarify existing law concerning requests to run whitewater trips on an allocated river by a former member of an affiliated group.

Committee Amendment "A" (S-486) proposed to replace the bill and make the bill an emergency.

The amendment proposed to allow 2 outfitters, but not more than 2, to form an affiliated group and conduct whitewater rafting trips on an allocated river if both outfitters have been awarded allocations for that river and the Department of Inland Fisheries and Wildlife determines that the affiliation would not result in more than 60% of the total allocations for that river being held by affiliated outfitters.

Senate Amendment "A" to Committee Amendment "A" (S-508) proposed to strike the emergency preamble and the emergency clause.

Senate Amendment "B" to Committee Amendment "A" (S-509) proposed to allow 2 outfitters to form an affiliated group and conduct whitewater rafting trips on an allocated river under the conditions stated in the committee amendment if the combined total allocations for that river for those 2 outfitters did not exceed 120.

Senate Amendment "C" to Committee Amendment "A" (S-510) proposed to allow 2 outfitters to form an affiliated group and conduct whitewater rafting trips on an allocated river

under the conditions stated in the committee amendment if the combined total allocations for that river for those 2 outfitters does not exceed 120 per day.

Conference Committee Report. LD 1820 was referred to a Conference Committee. The Conference Committee's "Unable to Agree" report was accepted by both bodies on April 2, 1996.

LD 1832 An Act to Amend the Atlantic Salmon Authority

PUBLIC 535
EMERGENCY

Sponsor(s)
BAILEY
KIEFFER

Committee Report

Amendments Adopted
S-466

LD 1832 proposed several changes to the appointment criteria and the appointment process pertaining to members of the Atlantic Salmon Board. This bill was enacted on the floor, without reference to Committee.

Senate Amendment "A" (S-466) proposed to add an emergency preamble, an emergency clause and a fiscal note to the bill.

Enacted Law summary

Public Law chapter 535, which was enacted as an emergency, added one member at-large to the Atlantic Salmon Board to represent the public and clarified that the Commissioner of Inland Fisheries and Wildlife and the Commissioner of Marine Resources are exempt from the confirmation process. The law restricts the Atlantic Salmon Authority's role to inland waters other than commercial hatcheries, with the exception of the Ducktrap, Sheepscot, Narraguagus, Pleasant, Machias, East Machias and Dennys rivers. The delay in the effective date of authority over those rivers is to allow the executive branch adequate opportunity to respond to a proposed federal listing of Atlantic salmon. The board will report back to the Joint Standing Committee on Inland Fisheries and Wildlife by December 1, 1996 concerning management of Atlantic salmon and recommendations on staffing and budget.

Chapter 535 was enacted as an emergency measure effective March 13, 1996.

**LD 1833 An Act to Clarify the Definition of Commercial Whitewater
Outfitter**

PUBLIC 626
EMERGENCY

Sponsor(s)
HANLEY

Committee Report
OTP-AM

Amendments Adopted
S-513

LD 1833 proposed to provide an exception to the definition of "commercial whitewater outfitter" in the laws regulating commercial whitewater rafting for a nonprofit whitewater rafting club that collects dues or fees to finance the expenses of the club.

Committee Amendment "A" (S-513) proposed to authorize the Commissioner of Inland Fisheries and Wildlife to allow certain noncommercial organizations that collect dues or fees to conduct whitewater rafting trips without a commercial whitewater outfitters license.