

MAINE STATE LEGISLATURE

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**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

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Rep. Howard A. Chick

Rep. Royce W. Perkins

Rep. John Underwood

Staff:

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**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.

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.

Enacted law summary

Public Law 1995, chapter 626, allows the Commissioner of Inland Fisheries and Wildlife to authorize the following 2 types of dues or fee collecting organizations to conduct whitewater rafting trips without a commercial license:

1. A tax-exempt, nonprofit corporation incorporated in this State before March 1, 1996 whose purpose is incidental to whitewater rafting, including the local councils, troops or organized local groups affiliated with that corporation. Organizations in this category include the local boy scout and girl scout councils or troops and church groups. Those organizations must request authorization from the commissioner at least 15 days before conducting a rafting trip and the commissioner may not allow a council, troop or other organized local group affiliated with the corporation to conduct more than 2 rafting trips a year without a commercial license; and
2. A noncommercial whitewater rafting club organized solely to provide whitewater rafting trips to its members. The law authorizes the commissioner to allow a noncommercial club that collects dues or fees to conduct whitewater rafting trips for its members without a commercial license if the commissioner determines that the sole purpose of the club is to provide noncommercial whitewater rafting opportunities to its members, that members of the club, including officers or board members, if any, will not receive any form of compensation from the club at any time, that the club will use its own equipment, that all fees or dues collected from club members are used only to purchase and maintain rafting equipment for the sole use of the club, that the club will not employ or otherwise compensate any person for service relating to rafting and that the club will not accept gifts of products or services from any commercial whitewater outfitter or licensed whitewater guide. Noncommercial whitewater rafting clubs must file certain information with the commissioner by January 1st of each year, including a list of the name, address and telephone number of each member of the club.

The law requires the commissioner to place limits on the rafting activities of these organizations, when necessary, including limits on the time, location, safety equipment and number of people that may participate in a rafting trip or to deny a request if granting that request would conflict with the river management goals set forth in the Maine Revised Statutes, Title 12, section 7364.

Chapter 626 was enacted as an emergency measure effective April 8, 1996.