

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
119TH LEGISLATURE**

FIRST REGULAR SESSION

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

JULY 1999

MEMBERS:

Sen. Marge L. Kilkelly, Chair

Sen. Richard P. Ruhlin

Sen. R. Leo Kieffer

Rep. Matthew Dunlap, Chair

Rep. Richard H. C. Tracy

Rep. Joseph E. Clark

Rep. Bruce S. Bryant

Rep. William R. Cote

Rep. Royce W. Perkins

Rep. Howard A. Chick

Rep. Harry G. True

Rep. Kenneth A. Honey

Rep. A. David Trahan

Staff:

David C. Webb, Esq., Legislative 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 NINETEENTH LEGISLATURE
FIRST REGULAR SESSION

Summary Of Legislation Before The Joint Standing and Select Committees
August 1999

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

The document is organized for convenient reference to information on bills considered by the committees. It is organized 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. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

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:

CARRIED OVER..... *Bill carried over to Second Regular Session*
CON RES XXX..... *Chapter # of Constitutional Resolution passed by both Houses*
CONF CMTE UNABLE TO AGREE..... *Committee of Conference unable to agree; bill died*
DIED BETWEEN BODIES..... *House & Senate disagree; bill died*
DIED IN CONCURRENCE..... *One body accepts ONTP report; the other indefinitely postpones the bill*
DIED ON ADJOURNMENT..... *Action incomplete when session ended; bill died*
EMERGENCY..... *Enacted law takes effect sooner than 90 days*
ENACTMENT FAILED..... *Bill failed to get vote required for enactment or final passage*
NOT PROPERLY BEFORE THE BODY..... *Ruled out of order by the presiding officers; bill died*
INDEF PP..... *Bill Indefinitely Postponed*
ONTP..... *Ought Not To Pass report accepted*
OTP ND..... *Committee report Ought To Pass In New Draft*
OTP ND/NT..... *Committee report Ought To Pass In New Draft/New Title*
P&S XXX..... *Chapter # of enacted Private & Special Law*
PUBLIC XXX..... *Chapter # of enacted Public Law*
RESOLVE XXX..... *Chapter # of finally passed Resolve*
UNSIGNED..... *Bill held by Governor*
VETO SUSTAINED..... *Legislature failed to override Governor's Veto*

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 18, 1999.

testing methods to be used by the Department of Inland Fisheries and Wildlife, one stationary test and one operational test. The law authorizes the transfer of \$6,000 in fiscal year 1999-00 from the Carrying Balance Account program within the Department of Inland Fisheries and Wildlife for the purchase of 5 noise meters.

LD 663

An Act to Clarify the Powers of Game Wardens When Stopping Motor Vehicles

PUBLIC 317

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KILKELLY DUNLAP	OTP-AM	S-251

LD 663 proposed to give game wardens the same authority to stop motor vehicles as is allowed other law enforcement officers. The current statute limits the authority of game wardens to stop motor vehicles by requiring wardens to articulate that a violation of fish and game laws has occurred prior to stopping a vehicle. This bill was submitted on behalf of the Department of Inland Fisheries and Wildlife.

Committee Amendment "A" (S-251) proposed to replace the bill and make it an emergency. The amendment proposed to allow a game warden to stop a motor vehicle when necessary to protect a person from the threat of death or personal injury. That new authority would be repealed 90 days after adjournment of the Second Regular Session of the 119th Legislature. The amendment also proposed to clarify the authority of a warden to request information from an operator of a motor vehicle.

Enacted law summary

Public Law 1999, chapter 317 allows a game warden to stop a motor vehicle when necessary to protect a person from the threat of death or personal injury. That new authority is repealed 90 days after adjournment of the Second Regular Session of the 119th Legislature. The law also clarifies the authority of a warden to request information from an operator of a motor vehicle.

Chapter 317 was enacted as an emergency measure effective May 25, 1999.

LD 667

An Act to Allow the Commissioner of Inland Fisheries and Wildlife to Determine the Number of Moose Permits to Be Awarded

**PUBLIC 402
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KIEFFER CLARK	OTP-AM	S-313

LD 667 proposed that in the year 2000 and in each year thereafter the number of moose permits awarded will be determined annually by the Commissioner of Inland Fisheries and Wildlife.

Committee Amendment "A" (S-313) proposed to replace the bill. It proposed to make an additional 1,000 moose permits available for 1999 and 2000. It proposed that these permits would be drawn at a bonus chance lottery held after the regularly scheduled lottery. It proposed to allow anyone who has applied for a moose permit in 1999 and 2000 who is not selected in the regular drawing to automatically be entered into the bonus chance lottery. It proposed to allow half

of the permits issued as a result of this bonus lottery to be for antlerless moose, those without antlers or moose with antlers shorter than their ears. The 1999 zone allocations for the additional permits were included in this amendment.

This amendment also proposed to give the Commissioner of Inland Fisheries and Wildlife authority to set the length and timing of the moose season beginning in the year 2000 and the number of permits for moose hunts taking place in 2001 and later. It proposed that the commissioner shall report each year on the commissioner's proposed actions concerning management of the moose herd to the Joint Standing Committee on Inland Fisheries and Wildlife.

This amendment also proposed to add an emergency preamble and an emergency clause to the bill.

Enacted law summary

Public Law 1999, chapter 402 makes an additional 1,000 moose permits available for 1999 and 2000. These permits will be drawn at a bonus chance lottery held after the regularly scheduled lottery. Anyone who has applied for a moose permit in 1999 and 2000 who is not selected in the regular drawing will automatically be entered into the bonus chance lottery. Half of the permits issued as a result of this bonus lottery will be for antlerless moose, those without antlers or moose with antlers shorter than their ears. This legislation includes the 1999 zone allocations for the additional permits.

This law also gives the Commissioner of Inland Fisheries and Wildlife authority to set the length and timing of the moose season beginning in the year 2000 and the number of permits for moose hunts taking place in 2001 and later. The commissioner shall report each year on the commissioner's proposed actions concerning management of the moose herd to the Joint Standing Committee on Inland Fisheries and Wildlife.

Chapter 402 was enacted as an emergency measure effective June 4, 1999.

LD 701 An Act to Repeal Prior Registration for Noncommercial Whitewater Rafting Trips ONTP

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

LD 701 proposed to repeal the requirement that noncommercial whitewater rafters register before taking trips on stretches of rivers for which allocations are made for commercial whitewater trips. It proposed to reenact under a new subsection of the statutes an existing requirement that commercial whitewater outfitters must register noncommercial passengers who travel on commercial whitewater trips that take place along stretches of river regulated by commercial allocations.

LD 728 An Act to Prohibit Closed Hunts ONTP

<u>Sponsor(s)</u> DUNLAP KILKELLY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
---	--	---------------------------------	--	---------------------------

LD 728 proposed to prohibit closed hunts and to set penalties for organizing or participating in closed hunts.