

MAINE STATE LEGISLATURE

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**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

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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.

Sponsor(s)
KILKELLY
DUNLAP

Committee Report
OTP

Amendments Adopted

LD 2017 proposed to authorize the Department of Inland Fisheries and Wildlife to allow the taking of endangered or threatened species under certain circumstances when applicants have developed a plan to avoid or minimize the impact of their activities on species listed as threatened or endangered. The bill proposed to allow the department to approved the project, provided that the population of the listed species is not in serious jeopardy. This bill was submitted on behalf of the Department of Inland Fisheries and Wildlife.

Enacted law summary

Public Law 1999, chapter 316 authorizes the Department of Inland Fisheries and Wildlife to permit the taking of endangered or threatened species under certain circumstances when applicants have developed a plan to avoid or minimize the impact of their activities on species listed as threatened or endangered. The law allows the department to approved the project under these conditions, provided that the population of the listed species is not in serious jeopardy.

LD 2028

An Act Pertaining to the Management of Atlantic Salmon

INDEF PP

Sponsor(s)
DUNLAP
CATHCART

Committee Report
OTP-AM

Amendments Adopted
H-672

LD 2028 proposed to reorganize the existing Atlantic Salmon Authority by establishing the responsibility for the management of Atlantic salmon in a commission consisting of three members: the Commissioner of Inland Fisheries and Wildlife, the Commissioner of Marine Resources, and an at-large public member appointed by the Governor. The bill proposed that the commission appoint an executive director.

Committee Amendment "A" (H-672) proposed to reorganize the Atlantic Salmon Authority by establishing the responsibility for management of Atlantic salmon in a commission governed by a policy-making board consisting of three members: the Commissioner of Inland Fisheries and Wildlife, the Commissioner of Marine Resources and an at-large public member appointed by the Governor and confirmed by the Senate. The amendment proposed to expand the commission's duties to include protection, preservation, enhancement, restoration and management of Atlantic salmon as well as to secure a sustainable recreational fishery. The amendment proposed to have the commission administer the State's Atlantic salmon conservation plan.

The amendment proposed to have the advisory panels from river basin complexes representing the historical range of Atlantic salmon in the State to assist the Atlantic Salmon Commission in developing plans and programs.

The amendment proposed to give the commission responsibility for administration of the Atlantic salmon conservation plan. The amendment proposed that the executive director would be responsible for managing the day-to-day operations of the Atlantic Salmon Commission.

LD 2045

Resolve, to Establish the Citizens' Advisory Committee to Secure the Future of Maine's Wildlife and Fish

RESOLVE 86

Sponsor(s)
KILKELLY
DUNLAP

Committee Report
OTP-AM

Amendments Adopted
H-639 DUNLAP
S-254
S-450 MICHAUD

LD 2045 proposed to establish the 18-member Citizens' Advisory Committee to Secure the Future of Maine's Wildlife and Fish. The bill proposed to require the committee to report its findings and any recommended legislation to the Joint Standing Committee on Inland Fisheries and Wildlife by January 15, 2001.

Committee Amendment "A" (S-254) proposed to add 2 additional members of the House of Representatives, 2 people representing large and small businesses involved in the forest products industry, a trapper and a fish and wildlife law enforcement officer to the membership of the Citizens' Advisory Committee to Secure the Future of Maine's Wildlife and Fish. The amendment also proposed to add an appropriation section, allocation section and fiscal note to the bill.

House Amendment "A" (H-639) proposed to remove the provision that requires the President of the Senate and the Speaker of the House to consult with the Chairs of the Joint Standing Committee on Inland Fisheries and Wildlife prior to appointing legislative members of the Citizens' Advisory Committee to Secure the Future of Maine's Wildlife and Fish.

Senate Amendment "A" to Committee Amendment "A" (S-450) proposed to make technical corrections to the resolve needed to make the resolve consistent with the legislative study guidelines. Specifically, the amendment proposed to change the date of the first meeting, clarify the language concerning chairs, clarify the compensation and staffing provisions and change the reporting date. The amendment also proposed to make this an emergency measure.

Enacted law summary

Resolve 1999, chapter 86 establishes the 24-member Citizens' Advisory Committee to Secure the Future of Maine's Wildlife and Fish. The law requires the committee to report its findings and any recommended legislation to the Joint Standing Committee on Inland Fisheries and Wildlife by December 15, 2000.

LD 2088

An Act to Revise Certain Provisions of the Fish and Wildlife Laws

**PUBLIC 403
EMERGENCY**

Sponsor(s)
KILKELLY
CLARK

Committee Report
OTP-AM

Amendments Adopted
H-747 DUNLAP
S-292
S-322 KILKELLY
S-358 KILKELLY
S-368 KILKELLY
S-377 KILKELLY

LD 2088 proposed to make a number of changes to the laws governing inland fish and wildlife.

This bill was submitted on behalf of the Department of Inland Fisheries and Wildlife.