

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the First Regular Session of the 124th Maine Legislature coming from the

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

July 2009

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STATE OF MAINE

124TH LEGISLATURE
FIRST REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 124th Maine Legislature.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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.....	Carried over to a subsequent session of the Legislature
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
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE.....	Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE.....	Bill failed to get majority vote
FAILED MANDATE ENACTMENT.....	Bill imposing local mandate failed to get 2/3 vote
NOT PROPERLY BEFORE THE BODY.....	Ruled out of order by the presiding officers; bill died
INDEF PP.....	Bill Indefinitely Postponed; bill died
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted; bill died
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

The effective date for non-emergency legislation enacted in the First Regular Session of the 124th Legislature is September 12, 2009. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Inland Fisheries and Wildlife

LD 303 allows the Commissioner of Inland Fisheries and Wildlife to set December 20th as the ending date for the open season for deer. Current law allows the commissioner to set December 15th as the ending date. LD 303 authorizes nonresidents who own 25 or more acres of land in this State and keep that land open to hunting to hunt deer on the Saturday preceding the first day of open season on deer, which is currently reserved for hunting by residents only. The bill expands the open season for hunting coyotes at night from December 20th to August 15th. Current law provides a season that runs from January 1st to June 1st.

Committee Amendment "A" (S-88)

This amendment removes provisions from the bill that would allow certain nonresidents to hunt deer on the day reserved for resident hunters and that would extend the night hunting season for coyotes.

Enacted Law Summary

Public Law 2009, chapter 134 authorizes the Commissioner of Inland Fisheries and Wildlife to set December 20th as the ending date for the open hunting season for deer. Current law allows the commissioner to set December 15th as the ending date.

LD 308 An Act To Clarify Standards by Which All-terrain Vehicles May Be Stopped

PUBLIC 389

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN J L BRYANT B	OTP-AM MAJ OTP-AM MIN	H-354

LD 308 requires a game warden to have a reasonable and articulable suspicion to believe that a violation of law has taken place or is taking place before stopping an all-terrain vehicle.

Committee Amendment "A" (H-354)

This amendment clarifies that the reasonable and articulable suspicion standard for all-terrain vehicle stops applies to all law enforcement officers and not just game wardens.

Committee Amendment "B" (H-355)

This amendment, which is the minority report of the committee, adds an emergency preamble and emergency clause and clarifies that the reasonable and articulable suspicion standard for all-terrain vehicle stops applies to all law enforcement officers and not just game wardens. It repeals that standard on February 1, 2010. It also directs the Commissioner of Inland Fisheries and Wildlife to report on how the new standard affected the department's ability to enforce all-terrain vehicle laws and to interact with all-terrain vehicle operators in the field to the Joint Standing Committee on Inland Fisheries and Wildlife by January 5, 2010 and gives that committee the authority to submit legislation to the Second Regular Session of the 124th Legislature regarding that report.

Enacted Law Summary

Public Law 2009, chapter 389 requires a law enforcement officer to have a reasonable and articulable suspicion to believe that a violation of law has taken place or is taking place before stopping an all-terrain vehicle.