

MAINE STATE LEGISLATURE

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STATE OF MAINE
125TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

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

July 2011

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STAFF:

CURTIS C. BENTLEY, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

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LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 125th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD 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 LD is noted to the right of the LD title. The following describes the various final actions.

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; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public Law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 125th Legislature is September 28, 2011. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Inland Fisheries and Wildlife

LD 213 An Act To Provide Funding for the Fish Stocking Program

Carried Over

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THIBODEAU		

This bill provides a General Fund appropriation of \$500,000 for fiscal years 2011-12 and 2012-13 for the purchase of fish for the Department of Inland Fisheries and Wildlife's fish stocking program.

Committee Amendment "A" (S-110)

This amendment incorporates a fiscal note.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

**LD 223 An Act To Require Written Permission for Recreational Access to
Cropland, Pastureland and Orchards**

ONTP

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

This bill provides that a person engaging in a recreational activity regulated under the inland fisheries and wildlife laws may not conduct that activity on privately owned cropland or pastureland or in a privately owned orchard without the written permission of the landowner or lessee.

LD 251 Resolve, To Establish the Wilderness Rescue Task Force

RESOLVE 15

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE	OTP-AM	H-32

This bill establishes the Wilderness Rescue Fund in the Department of Inland Fisheries and Wildlife for the purpose of establishing first aid equipment stations in areas where first aid equipment may not be readily available for search and rescue operations by the department.

Committee Amendment "A" (H-32)

This amendment replaces the bill with a resolve that directs the Department of Inland Fisheries and Wildlife to create the Wilderness Rescue Task Force to study the necessity and feasibility of establishing first aid stations and helicopter landing areas in remote locations where access and first aid supplies may not be readily available to search and rescue personnel. The amendment requires the department to report the task force's findings and recommendations to the Joint Standing Committee on Inland Fisheries and Wildlife by February 1, 2012.

Enacted Law Summary

Joint Standing Committee on Inland Fisheries and Wildlife

Resolve 2011, chapter 15 directs the Department of Inland Fisheries and Wildlife to create the Wilderness Rescue Task Force to study the necessity and feasibility of establishing first aid stations and helicopter landing areas in remote locations where access and first aid supplies may not be readily available to search and rescue personnel. It also requires the department to report the task force's findings and recommendations to the Joint Standing Committee on Inland Fisheries and Wildlife by February 1, 2012.

**LD 254 An Act To Amend the Standards by Which Law Enforcement Officers PUBLIC 248
May Stop an All-terrain Vehicle Operating on Private Property**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SARTY DIAMOND	OTP-AM MAJ ONTP MIN	H-160

Current law provides that a game warden may stop an all-terrain vehicle to ascertain whether a violation of the law has occurred if the game warden has a reasonable and articulable suspicion to believe that a violation of the law has taken place or is taking place. This bill allows a game warden to stop an all-terrain vehicle without a reasonable and articulable suspicion to believe a violation of the law has occurred, which was the standard in law prior to 2009.

Committee Amendment "A" (H-160)

This amendment retains the provisions of the bill and clarifies existing law that authorizes all law enforcement officers, not just game wardens, to enforce the provisions of the Maine Revised Statutes, Title 12, Part 13. It does not expand or otherwise restrict the current authority of game wardens or other law enforcement officers.

Enacted Law Summary

Public Law 2011, chapter 248 authorizes a law enforcement officer to stop an all-terrain vehicle without a reasonable and articulable suspicion to believe a violation of the law has occurred.

LD 270 An Act To Reserve a Number of Moose Permits for the Tribes of Maine ONTP

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

This bill requires the Commissioner of Inland Fisheries and Wildlife to reserve 225 moose hunting permits for the Indian tribes of the State, 200 for the 4 federally recognized Indian tribes and 25 for the Wesget Sipu Tribe.

**LD 271 Resolve, To Direct the Department of Inland Fisheries and Wildlife To RESOLVE 20
Prepare a Deer Winter Feeding Strategy**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON	OTP-AM	S-15