

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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STATE OF MAINE
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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 1209 An Act Regarding Stops of All-terrain Vehicles and Snowmobiles by Law Enforcement Officers

**MAJORITY
(ONTP) REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAFTS MASON	ONTP MAJ OTP-AM MIN	

Current law requires a game warden or other law enforcement officer to have a reasonable and articulable suspicion to stop an all-terrain vehicle or ATV; no such restriction is placed on game wardens or law enforcement officers stopping snowmobiles.

This bill maintains that reasonable and articulable suspicion requirement for a game warden or law enforcement officer stopping an ATV being operated on a trail in the Maine Trails System and also applies it to snowmobiles being operated on a trail in the Maine Trails System. For an ATV that is more than 20 feet from one of those trails or a snowmobile that is not on one of those trails, no reasonable suspicion is required to stop and examine the ATV or snowmobile or its operator.

Committee Amendment "A" (H-247)

This amendment is the minority report. It amends the bill by providing that once an ATV or snowmobile leaves the Maine Trails System, the ATV or snowmobile may be stopped by law enforcement for any reason.

LD 1242 An Act To Restore the Deer Herd in Certain Wildlife Management Districts in Maine

Carried Over

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS DC TRAHAN		

This bill does the following:

1. It establishes a deer management advisory committee to inform the Commissioner of Inland Fisheries and Wildlife about how to more aggressively manage the State's deer population;
2. It establishes the Maine Deer Management Fund for the purpose of funding deer management efforts in the State;
3. It creates a \$10 deer stamp and prohibits a person from hunting deer in the State without a deer stamp;
4. It creates a deer management license plate and directs \$20 from each deer management license plate to be deposited into the Maine Deer Management Fund;
5. It creates a Maine deer management voluntary checkoff so that taxpayers can voluntarily support deer management efforts; and
6. It requires revenue received from the deer stamp and the deer management checkoff to be deposited in the Maine Deer Management Fund.

Joint Standing Committee on Inland Fisheries and Wildlife

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

LD 1246 Resolve, Concerning Access to the Eastern Road in Scarborough

RESOLVE 57

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARTLETT	OTP-AM	S-111

This resolve requires the Department of Inland Fisheries and Wildlife to grant easements to Anthony Attardo and Anthony Attardo, Jr. through and across Eastern Road in the Town of Scarborough. Anthony Attardo and Anthony Attardo, Jr. shall grant to the Department of Inland Fisheries and Wildlife an easement across their land situated on the easterly side of the Black Point Road. The department shall deliver the deeds to the Attardos no later than November 1, 2011.

Committee Amendment "A" (S-111)

This amendment incorporates a fiscal note.

Enacted Law Summary

Resolve 2011, chapter 57 requires the Department of Inland Fisheries and Wildlife to grant easements to Anthony Attardo and Anthony Attardo, Jr. through and across Eastern Road in the Town of Scarborough. It also provides that Anthony Attardo and Anthony Attardo, Jr. shall grant to the Department of Inland Fisheries and Wildlife an easement across their land situated on the easterly side of the Black Point Road. Resolve 2011, chapter 57 requires the department to deliver the deeds to the Attardos no later than November 1, 2011.

**LD 1327 Resolve, To Study the Organization of the Fisheries Management
Activities of the Department of Inland Fisheries and Wildlife and Make
Recommendations To Improve Efficiency and Effectiveness**

Carried Over

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

This resolve is a concept draft pursuant to Joint Rule 208.

This resolve proposes to study the organization and operations of the Department of Inland Fisheries and Wildlife with respect to the management of the inland fisheries resources in the public waters of the State to identify and recommend changes that will improve the efficiency and effectiveness of those activities.

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