

MAINE STATE LEGISLATURE

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STATE OF MAINE
125TH LEGISLATURE
SECOND REGULAR SESSION



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

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

June 2012

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STATE OF MAINE

125TH LEGISLATURE
SECOND REGULAR SESSION



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 Second 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.

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

The effective date for non-emergency legislation enacted in the Second Regular Session of the 125th Legislature is Thursday, August 30, 2012. 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 1785 An Act To Repeal the Requirement That Canadian Big Game or Wild Turkey Hunters Be Accompanied by Guides Licensed in the State and To Clarify the Laws Concerning the Civil Violation of Trespass by Motor Vehicle

PUBLIC 561

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| DAVIS MARTIN T | OTP-AM | H-766 |

This bill repeals the requirement that an alien big game or wild turkey hunter who is a resident of the Canadian province of New Brunswick or Quebec be accompanied by a guide licensed by the State.

Committee Amendment "A" (H-766)

This amendment replaces the title and clarifies the law concerning the civil violation of trespass by a motor vehicle. The amendment provides that a person commits a civil violation if that person parks a motor vehicle or allows a motor vehicle to remain parked in a private drive or private way in a manner that blocks or interferes with the free passage of other vehicles without the permission of the owner of the private drive or way. The amendment increases the fine from an amount not to exceed \$100 to an amount not less than \$500. The amendment also specifies that there is a rebuttable presumption that a registered owner of a vehicle involved in a violation has that vehicle under that person's control.

Enacted Law Summary

Public Law 2011, chapter 561 repeals the requirement that an alien big game or wild turkey hunter who is a resident of the Canadian province of New Brunswick or Quebec be accompanied by a guide licensed by the State. It clarifies the law concerning the civil violation of trespass by a motor vehicle. It provides that a person commits a civil violation if that person parks a motor vehicle or allows a motor vehicle to remain parked in a private drive or private way in a manner that blocks or interferes with the free passage of other vehicles without the permission of the owner of the private drive or way. It increases the fine from an amount not to exceed \$100 to an amount not less than \$500. It also specifies that there is a rebuttable presumption that a registered owner of a vehicle involved in a violation has that vehicle under that person's control.

LD 1817 Resolve, Regarding Access to Eastern Road in Scarborough

RESOLVE 141

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| VOLK BARTLETT | OTP-AM | H-770 H-799 VOLK |

Resolve 2011, chapter 57 authorized the conveyance of certain state property that is subject to provisions of the Constitution of Maine that require an affirmative vote of 2/3 of the members elected to each House, but did not contain certain necessary language memorializing the Legislature's vote. This resolve repeals Resolve 2011, chapter 57 and enacts the language conveying the property along with the necessary language concerning the Legislature's 2/3 vote. The Department of Inland Fisheries and Wildlife must deliver the deeds to the Attardos upon approval of all necessary permits and approvals.

Joint Standing Committee on Inland Fisheries and Wildlife

Committee Amendment "A" (H-770)

This amendment incorporates a fiscal note.

House Amendment "A" (H-799)

This amendment requires the Department of the Inland Fisheries and Wildlife to submit, within 14 days of the effective date of the resolve, any required application and documents for federal approvals necessary to convey the easement authorized by the resolve and to convey the easement no later than 60 days after all permits and approvals are received.

Enacted Law Summary

Resolve 2011, chapter 141 repeals Resolve 2011, chapter 57. Resolve 2011, chapter 57 authorized the conveyance of certain state property that is subject to provisions of the Constitution of Maine that require an affirmative vote of 2/3 of the members elected to each House, but it did not contain certain necessary language memorializing the Legislature's vote. Resolve 2011, chapter 141 enacts the language conveying the property along with the necessary language concerning the Legislature's 2/3 vote. The Department of Inland Fisheries and Wildlife must deliver the deeds to the Attardos upon approval of all necessary permits and approvals. Resolve 2011, chapter 141 requires the Department of the Inland Fisheries and Wildlife to submit, within 14 days of the effective date of the resolve, any required application and documents for federal approvals necessary to convey the easement authorized by the resolve and to convey the easement no later than 60 days after all permits and approvals are received.

LD 1822 An Act To Allow the Change of Location of a Licensed Large Game Shooting Area

PUBLIC 557

Sponsor(s)
THOMAS

Committee Report
OTP MAJ
ONTP MIN

Amendments Adopted
S-454 THOMAS

This bill permits a person holding a license for a commercial large game shooting area to change the location of the shooting area if the Commissioner of Agriculture, Food and Rural Resources determines that the old location will be discontinued and the new location meets the applicable requirements of the law under which the original license was approved.

Senate Amendment "A" (S-454)

This amendment removes the emergency preamble and emergency clause.

Enacted Law Summary

Public Law 2011, chapter 557, permits a person holding a license for a commercial large game shooting area to change the location of the shooting area if the Commissioner of Agriculture, Food and Rural Resources determines that the old location will be discontinued and the new location meets the applicable requirements of the law under which the original license was approved.