

MAINE STATE LEGISLATURE

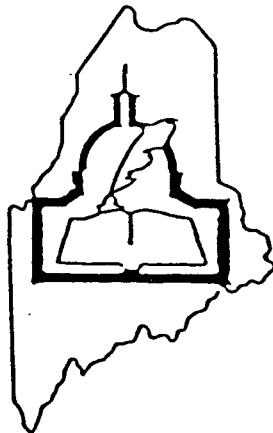
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STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE ON
FISHERIES AND WILDLIFE
BILL SUMMARY



MAY 1986

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ONE HUNDRED AND TWELFTH LEGISLATURE
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JOINT STANDING COMMITTEE
BILL SUMMARIES
MAY 1986

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature, covering the Second Regular Session of the 112th Legislature. The summaries are arranged by LD number under each committee.

All Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "CA" if it is a committee amendment. If the amendment was adopted in the House, the letter H appears after the sponsor. If it was adopted in the Senate, the letter S appears.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-AM	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

Sponsor: USHER
Committee Report: ONTP

SUMMARY: This bill sought to discontinue the pheasant stamp.

Since pheasants are not usually successful in surviving Maine winters to reproduce in the wild, the pheasant stocking program has been primarily a "put and take" venture.

For the last several years, as a result of a legislative mandate, the Department has limited spending on the pheasant program to the level of revenue generated by pheasant stamp sales. Sales of pheasant stamps have steadily declined in recent years from a high of \$25,155 in 1979. Last year pheasant stamps generated only \$9,700 and allowed for the purchase of only 1,735 six week old birds. These birds were distributed to interested cooperators (mostly fish and game clubs) who raised the birds at their own expense and released them into the wild under the direction of Department people. It was testified that the availability of only 1,735 pheasants on a statewide basis amounts to looking for a "needle in a haystack".

Several fish and game clubs testified against the bill. Their concern was that non-members would shoot pheasants raised by the clubs without having contributed to the raising.

Sponsor: DIAMOND G, Rolde, Erwin P, McPherson
Committee Report: ONTP

SUMMARY: This bill sought to transfer responsibility for marking and regulating inland water from the Department of Conservation to the Department of Fisheries & Wildlife. Some funds would be included in the transfer and the remainder would be used to provide additional public access to inland waters. The funds transferred to Fisheries & Wildlife would not be allocated for marking navigational hazards but instead be used for boater safety education.

The combination of discontinuance of "buoying" and increase of public access resulted in strong opposition to the bill.

LD AN ACT TO REVISE THE STATUTES PERTAINING TO USE PL 1985
2169 AND SALE OF LIVE FISH AS BAIT C. 607

Sponsor: MATTHEWS Z, Walker, Clark H, Duffy
Committee Report: New draft of LD 1767

H-574 HA H S

SUMMARY: This was a Department bill which sought to update and clarify the law and resolve several enforcement problems. The major provisions of the new draft were:

1. to provide definitions of the terms "baitfish" "baitfish trap" and "seine";
 2. to revise the licensing provisions for the commercial harvest and sale of live smelts and baitfish.
 - a. The proposed live bait retailers license allows a person to sell live smelts and baitfish at his place of business. The fee for this license is \$10, \$10 less than the current bait dealer's license.
 - b. The proposed baitfish wholesaler's license allows a person to take live baitfish from inland waters and to sell these fish for bait purposes. The fee of \$20 is the same as the current bait dealer's license.
 - c. The smelt wholesaler's license allows a person to take up to 8 quarts of live smelts in a 24-hour period from certain designated waters and to sell these smelts for bait purposes. The fee of \$65 is the same as the current smelt dealer's license.
- Holders of these licenses must abide by certain restrictions which ensure protection of the smelt and baitfish resources of the State's inland waters. Persons who take live smelts and baitfish for their own use are not affected by these changes.
3. to establish prohibited acts for the sale or use of illegal baitfish and for failure to properly label baitfish traps and baitfish holding boxes;
 4. to make it unlawful to disturb or take fish from a baitfish trap or baitfish holding box without permission from the owner;
 5. to make it clear that baitfish may be taken without a permit from waters which are open to fishing. Permits to take baitfish, both for resale and for personal use, are required during periods when waters are closed to fishing;
 6. to make it clear that baitfish may be taken by methods not allowed in taking other inland fish species.