

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Inland Fisheries and Wildlife*

July 2003

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Maine State Legislature



Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

121st Maine Legislature First Regular Session

Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint select committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills considered by the committees. It is arranged alphabetically by committee name and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

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:

<i>CARRIED OVER PURSUANT TO HP 1212</i>	<i>Bills carried over to the 2nd Regular Session</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; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP-ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PASSED</i>	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

David C. Elliott, Director
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Joint Standing Committee on Inland Fisheries and Wildlife

LD 236 **An Act To Clarify the Animal Nuisance Statutes** **ONTP**

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

LD 236 proposed to require a game warden to seek the agreement of a biologist before the warden gave permission to a landowner to employ an agent to take or kill nuisance animals on the landowner's land or to issue a certificate allowing a landowner to own and consume a nuisance animal taken or killed on the landowner's land.

LD 237 **An Act To Improve the Coyote Control Program** **PUBLIC 73**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE	OTP-AM MAJ	H-75
HALL	OTP-AM MIN	

LD 237 proposed to repeal the statutory authorization for the coyote snaring program and deappropriate funding associated with the direct costs of the program. It proposed to leave in tact the law that allows the hunting of coyotes with firearms and dogs or trapping coyotes without the use of snares.

Committee Amendment "A" (H-75) the majority report of the Joint Standing Committee on Inland Fisheries and Wildlife and proposed to replace the original bill. The amendment proposed to set conditions and requirements for agents of the Department of Inland Fisheries and Wildlife who use snares for the control of coyotes during the winter months.

Enacted Law Summary

Public Law 2003, chapter 73 sets conditions and requirements for agents of the Department of Inland Fisheries and Wildlife who use snares for the control of coyotes during winter months.

LD 253 **An Act Regarding the Use of Hunter Orange Clothing, Assisted
Hunting, Baiting and the Possession of Gift Animals** **ONTP**

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

LD 253 proposed to require moose hunters to wear 2 articles of hunter orange clothing and exempt hunters from the hunter orange clothing requirement when hunting from a tree stand. The bill also proposed to allow a person to keep a gift bear, deer, moose or fish if it was labeled with just the name of the person who harvested the

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animal and the date when the animal was harvested. Additionally, the bill proposed to remove the prohibition on baiting deer and allowed a person to keep more than one legally harvested game animal in that person's home. Finally, the bill proposed to allow a person to assist in a hunt without a license or permit if that person did not carry a weapon during that hunt.

LD 270 **An Act To Give Priority in the Antlerless Deer Permit System to a Person Who Owns 100 Acres or More of Land and Permits Hunting on the Land** **ONTP**

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

LD 270 proposed to give priority in the antlerless deer permit system to landowners who owned at least 100 acres and kept that land open to hunting by the general public.

LD 303 **An Act To Increase Protection for Endangered and Threatened Species** **PUBLIC 113**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE GAGNON	OTP-AM	H-105

LD 303 proposed to make a violation of the laws protecting endangered and threatened species a Class D crime. It proposed to amend the law regarding endangered and threatened species to facilitate enforcement of those laws. It also proposed to require landowners to include on the map provided to the Department of Conservation prior to commencing harvesting activities, the location of any site in the harvesting area known to the landowner or the Department of Inland Fisheries and Wildlife to serve or historically serve as habitat for a species listed in the Maine Revised Statutes as endangered or threatened.

Committee Amendment "A" (H-105) proposed to replace the bill and make an intentional violation of the Maine Revised Statutes, Title 12, section 7756, subsection 1-A a Class D crime and a negligent violation of Title 12, section 7756, subsection 1 a Class E crime. These sections concern prohibited acts regarding endangered or threatened species.

Enacted Law Summary

Public Law 2003, chapter 113 makes a negligent violation of the laws protecting endangered and threatened species a Class E crime and the intentional violation of those laws a Class D crime.