

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

*State Of Maine
121st Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Inland Fisheries and Wildlife*

July 2003

Staff:

*Curtis C. Bentley, Legislative Analyst
Jon Clark, Senior Analyst*

*Office of Policy and Legal Analysis
13 State House Station
Augusta, ME 04333
(207) 287-1670*

Members:

*Sen. Bruce S. Bryant, Chair
Sen. David L. Carpenter
Sen. Richard Kneeland*

*Rep. Matthew Dunlap, Chair
Rep. Monica McGlocklin
Rep. Raymond G. Pineau
Rep. Thomas R. Watson
Rep. Walter A. Wheeler, Sr.
Rep. Raymond Wotton
Rep. A. David Trahan
Rep. Ken Honey
Rep. James H. Tobin, Jr.
Rep. Earl E. Richardson*

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
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Inland Fisheries and Wildlife

LD 1083

An Act To Encourage Hunting by Simplifying Hunting Laws

PUBLIC 333

<u>Sponsor(s)</u> DUNLAP BRYANT	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-391
---------------------------------------	-----------------------------------	------------------------------------

LD 1083 proposed to:

1. Include "mechanical broadheads when open" in the width requirement for arrowheads used to hunt deer;
2. Remove the requirement that the department advertise bear and deer registration stations in newspapers;
3. Repeal the ban on hunting waterfowl on Haley Pond;
4. Repeal the ban on deer hunting in 8 localities and the open season on deer in the Town of Vinalhaven and the Town of Southport;
5. Allow the commissioner to provide resident landowners with unallocated nonresident antlerless deer permits and authorizes the transfer of any-deer permits to any hunter;
6. Repeal the requirement that a person must accompany a deer while it is being moved or transported;
7. Repeal the ban on firearms in the Town of Southport;
8. Limit agent fees to \$2 per transaction;
9. Extend the prohibition on twilight hunting to beyond firearm season on deer;
10. Amend the prohibition on placing bear bait within 500 yards of a dump by clarifying the word "dump" to mean a site permitted or licensed for the disposal of solid waste and extends the demarcation line around disposal sites to 500 yards;
11. Extend the period of time a person may keep an unregistered wild turkey from 12 to 18 hours, making it consistent with other game animals; and
12. Provide the Commissioner of Inland Fisheries and Wildlife with the authority to extend the open season on deer as well as terminate it if the commissioner considers it necessary to manage the deer population.

Committee Amendment "A" (H-391) proposed to replace the bill and to:

1. Change the location used for determining sunrise and sunset times from Augusta to Bangor and defines night hunting as hunting between 30 minutes after sunset and 30 minutes before sunrise;
2. Repeal the twilight hunting prohibition;

Joint Standing Committee on Inland Fisheries and Wildlife

3. Cap the amount of agent fees that can be charged for a single transaction at \$6 and defines a "transaction" to mean a single event in which one or more licenses or permits are issued to a given person in that person's name;
4. Include "mechanical broadheads when open" in the width requirement for arrowheads used to hunt deer;
5. Repeal the requirement that the Department of Inland Fisheries and Wildlife advertise bear and deer registration stations in one or more of the State's daily newspapers;
6. Amend the prohibition on placing bear bait within 500 yards of a dump by clarifying the word "dump" to mean a site permitted or licensed for the disposal of solid waste, and it extends to 500 yards the area around a solid waste disposal site that is off limits to bear hunting and trapping activities;
7. Clarify the prohibition against discharging a weapon near a dwelling;
8. Allow a person to shoot from a boat as long as the boat is not being propelled by its motor;
9. Amend the law to remove the requirement that the Department of Inland Fisheries and Wildlife provide bear tags as part of the big game license;
10. Repeal the law that would allow a person to leave an unregistered bear in the woods if, within 18 hours, that person notifies a game warden about the location of the bear and the reasons for leaving it in the woods;
11. Amend the law to allow a person to possess a gift bear, deer, moose or wild turkey if it is labeled with the name of the person who registered the animal and the year that person registered the animal;
12. Clarify that a person may not shoot more than one moose per year;
13. Clarify existing law that a person may assist in a hunt as long as that person does not possess hunting equipment or conduct illegal game driving activities; and
14. Allow a person to keep more than one lawfully possessed bear, deer or moose in that person's home.

Enacted Law Summary

Public Law 2003, chapter 333 does the following:

1. It changes the location used for determining sunrise and sunset times from Augusta to Bangor and defines night hunting as hunting between 30 minutes after sunset and 30 minutes before sunrise;
2. It repeals the twilight hunting prohibition;
3. It caps the amount of agent fees that can be charged for a single transaction at \$6 and defines a "transaction" to mean a single event in which one or more licenses or permits are issued to a given person in that person's name;
4. It includes "mechanical broadheads when open" in the width requirement for arrowheads used to hunt deer;
5. It repeals the requirement that the Department of Inland Fisheries and Wildlife advertise bear and deer registration stations in one or more of the State's daily newspapers;

Joint Standing Committee on Inland Fisheries and Wildlife

6. It amends the prohibition on placing bear bait within 500 yards of a dump by clarifying the word "dump" to mean a site permitted or licensed for the disposal of solid waste, and it extends from 200 yards to 500 yards the area around a solid waste disposal site that is off limits to bear hunting and trapping activities;
7. It allows a person to shoot from a boat as long as the boat is not being propelled by its motor;
8. It removes the requirement that the Department of Inland Fisheries and Wildlife provide bear tags as part of the big game license;
9. It repeals the law that allows a person to leave an unregistered bear in the woods if, within 18 hours, that person notifies a game warden about the location of the bear and the reasons for leaving it in the woods;
10. It allows a person to possess a gift bear, deer, moose or wild turkey if it is labeled with the name of the person who registered the animal and the year that person registered the animal;
11. It clarifies that a person may not shoot more than one moose per year;
12. It clarifies existing law that a person may assist in a hunt as long as that person does not possess hunting equipment and does not conduct illegal game driving activities; and
13. It allows a person to keep more than one lawfully possessed bear, deer or moose in that person's home.

LD 1122 **An Act To Allow A Junior Hunter To Apply for an Antlerless Deer Permit** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRESSEY DAVIS P	ONTP	

LD 1122 proposed to allow a junior hunter to apply for a junior hunting license before the junior hunter's 10th birthday, if the junior hunter would be 10 years of age by the first day of hunting season. It also proposed to allow a junior hunter to apply for an antlerless deer permit.

LD 1161 **An Act To Exempt Saltwater-only Boats from the Lake and River Protection Sticker Requirements** **ONTP**

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

LD 1161 proposed to exempt a motorboat or personal watercraft used only in salt water from the requirement for a lake and river protection sticker. (This is existing law.)