

MAINE STATE LEGISLATURE

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R.O.S.

L.D. 1482

DATE: 5-16-03

(Filing No. H-422)

INLAND FISHERIES AND WILDLIFE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1087, L.D. 1482, Bill, "An Act To Revise Certain Provisions of Maine's Fish and Wildlife Laws"

Amend the bill by inserting after the enacting clause and before section 1 the following:

'Sec. 1. 12 MRSA §7001, sub-§1-H is enacted to read:

1-H. Aquarium. "Aquarium," for purposes of importing and possessing nonnative and exotic species, means an enclosed container, having a closed operating system, for purposes of displaying fish or other aquatic organisms that is located within a home, exhibition building or other permanent all-season structure and that does not allow the discharge of water or aquatic organisms into the inland waters of the State.

Sec. 2. 12 MRSA §7035, sub-§1, ¶B, as amended by PL 2001, c. 387, §4, is further amended to read:

B. A municipality or political subdivision of the State may not enact any ordinance, law or rule regulating the hunting, trapping or fishing for any species of fish or wildlife; the operation, registration or numbering of all-terrain vehicles, watercraft or snowmobiles; or any other subject matter of chapter 715, subchapters I 1 and II 2. For purposes of this paragraph, except as provided in subparagraphs (3) and (4), the regulation of fishing

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includes the regulation of ice fishing shacks. Nothing in this paragraph may be construed to prohibit the following:

(1) The enactment of any ordinance generally regulating the discharge of firearms in a municipality or any part of a municipality;

(2) The adoption of rules as authorized in section 7792;

(3) The enactment of any ordinance regulating ice fishing shacks on sources of public water supply as provided under Title 22, section 2642; or

(4) The enactment of any ordinance regulating ice fishing shacks on coastal waters as defined in section 6001, subsection 6.'

Further amend the bill by inserting after section 9 the following:

'Sec. 10. 12 MRSA §7161, sub-§1, ¶A, as amended by PL 2001, c. 37, §1, is further amended to read:

A. For a resident who is less than 6 years of age:

(1) An infant resident lifetime fishing license. The fee for an infant resident lifetime fishing license is \$150;

(2) An infant resident lifetime hunting license. The fee for an infant resident lifetime hunting license is \$150;

(2-A) An infant resident lifetime archery hunting license. The fee for an infant resident lifetime archery hunting license is \$150;

(2-B) An infant resident lifetime trapping license. The fee for an infant resident lifetime trapping license is \$150;

(3) An infant resident combination of any 2 lifetime licenses. The fee for an infant resident combination of any 2 lifetime licenses is \$250; and

(4) An infant resident combination of all 3 lifetime licenses. The fee for an infant resident combination of all 3 lifetime licenses is \$400;

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2 **Sec. 11. 12 MRSA §7161, sub-§1, ¶¶C and D**, as amended by PL
2001, c. 351, §2, are further amended to read:

4 C. For a resident from 6 to 15 years of age:

6 (1) A junior resident lifetime fishing license. The
8 fee for a junior resident lifetime fishing license is
\$300;

10 (2) A junior resident lifetime hunting license. The
12 fee for a junior resident lifetime hunting license is
\$300;

14 (2-A) A junior resident lifetime archery hunting
16 license. The fee for a junior resident lifetime
archery hunting license is \$300;

18 (2-B) A junior resident lifetime trapping license.
20 The fee for a junior resident lifetime trapping license
is \$300;

22 (3) A junior resident combination of any 2 lifetime
24 licenses. The fee for a junior resident combination of
any 2 lifetime licenses is \$500; and

26 (4) A junior resident combination of all 3 lifetime
28 licenses. The fee for a junior resident combination of
all 3 lifetime licenses is \$800.

30 A license under this paragraph may only be purchased on or
32 after January 1, 2001;

34 D. For a resident from 65 to 69 years of age:

36 (1) A senior resident lifetime fishing license. The
38 fee for a senior resident lifetime fishing license is
40 \$50 for a person who purchases the license in the year
42 in which that person turns 65 years of age, \$40 for a person who
44 purchases the license in the year in which that person
46 turns 66 years of age, \$30 for a person who
purchases the license in the year in which that person
turns 67 years of age, \$20 for a person who purchases
the license in the year in which that person turns 68
years of age and \$10 for a person who purchases the
license in the year in which that person turns 69 years
of age;

48 (2) A senior resident lifetime hunting license. The
50 fee for a senior resident lifetime hunting license is
\$50 for a person who purchases the license in the year

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2 in which that person turns 65 years of age, \$40 for a
3 person who purchases the license in the year in which
4 that person turns 66 years of age, \$30 for a person who
5 purchases the license in the year in which that person
6 turns 67 years of age, \$20 for a person who purchases
7 the license in the year in which that person turns 68
8 years of age and \$10 for a person who purchases the
9 license in the year in which that person turns 69 years
10 of age;

11 (2-A) A senior resident lifetime archery hunting
12 license. The fee for a senior resident lifetime
13 archery hunting license is \$50 for a person who
14 purchases the license in the year in which that person
15 turns 65 years of age, \$40 for a person who purchases
16 the license in the year in which that person turns 66
17 years of age, \$30 for a person who purchases the
18 license in the year in which that person turns 67 years
19 of age, \$20 for a person who purchases the license in
20 the year in which that person turns 68 years of age and
21 \$10 for a person who purchases the license in the year
22 in which that person turns 69 years of age;

23 (2-B) A senior resident lifetime trapping license.
24 The fee for a senior resident lifetime trapping license
25 is \$50 for a person who purchases the license in the
26 year in which that person turns 65 years of age, \$40
27 for a person who purchases the license in the year in
28 which that person turns 66 years of age, \$30 for a
29 person who purchases the license in the year in which
30 that person turns 67 years of age, \$20 for a person who
31 purchases the license in the year in which that person
32 turns 68 years of age and \$10 for a person who
33 purchases the license in the year in which that person
34 turns 69 years of age;

35 (3) A senior resident combination of any 2 lifetime
36 licenses. The fee for a senior resident combination of
37 any 2 lifetime licenses is \$80 for a person who
38 purchases the license in the year in which that person
39 turns 65 years of age, \$64 for a person who purchases
40 the license in the year in which that person turns 66
41 years of age, \$48 for a person who purchases the
42 license in the year in which that person turns 67 years
43 of age, \$32 for a person who purchases the license in
44 the year in which that person turns 68 years of age and
45 \$16 for a person who purchases the license in the year
46 in which that person turns 69 years of age; and
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2 (4) A senior resident combination of all 3 lifetime
3 licenses. The fee for a senior resident combination of
4 all 3 lifetime licenses is \$110 for a person who
5 purchases the license in the year in which that person
6 turns 65 years of age, \$94 for a person who purchases
7 the license in the year in which that person turns 66
8 years of age, \$78 for a person who purchases the
9 license in the year in which that person turns 67 years
10 of age, \$62 \$52 for a person who purchases the license
11 in the year in which that person turns 68 years of age
12 and \$46 \$26 for a person who purchases the license in
13 the year in which that person turns 69 years of age; and

14 **Sec. 12. 12 MRSA §7171, sub-§4, ¶C**, as amended by PL 2001, c.
15 667, Pt. C, §6, is further amended by amending subparagraph (11)
16 to read:

18 (11) A person holding a smelt wholesaler's license
19 must, at the time that person is engaged during the
20 winter months in the taking of smelts, by any method
21 other than hook and line, have a number 14 fish grader
22 in operable condition in that person's immediate
23 proximity during the taking of smelts and must use that
24 grader during the smelt harvesting activity. The
25 license holder must liberate immediately all undersized
26 smelts alive into the waters from which they were
27 taken. For the purpose of this subparagraph, a number
28 14 grader is a grader having a minimum grate size of
29 14/64 inches. This subparagraph does not apply to a
30 smelt wholesale license holder who fishes with hook and
31 line only.'

32 Further amend the bill by striking out all of section 16.

34

35 Further amend the bill by inserting after section 21 the
36 following:

38 **'Sec. 22. 12 MRSA §7801, sub-§35, ¶A**, as amended by PL 1999,
39 c. 697, §3, is further amended to read:

40

41 A. Mud Pond, Oversett Pond, South Pond, Round Pond,
42 Twitchell Pond, Hicks Pond, Indian Pond or Furlong Pond in
43 the Town of Greenwood in Oxford County;'

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45 Further amend the bill by relettering or renumbering any
46 nonconsecutive Part letter or section number to read
47 consecutively.

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COMMITTEE AMENDMENT "A" to H.P. 1087, L.D. 1482

SUMMARY

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This amendment prohibits the use of personal watercraft on Indian Pond and defines "aquarium" for the purposes of importing and possessing nonnative and exotic species. The amendment exempts a person who holds a smelt wholesale license and fishes with a hook and line from certain restrictions regarding the taking and selling of live smelt. The amendment strikes the language from the bill that would allow a deer tag to be issued separately from a big game license. The amendment also clarifies that the State has exclusive jurisdiction over the regulation of all-terrain vehicles. Finally, the amendment establishes a lifetime trapping license and adjusts the cost of combination lifetime licenses to better reflect other fee structures.

FISCAL NOTE REQUIRED
(See attached)

**121st Maine Legislature
Office of Fiscal and Program Review**



LD 1482

An Act To Revise Certain Provisions of Maine's Fish and Wildlife Laws

LR 1852(02)

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Inland Fisheries and Wildlife

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Minor revenue increase - General Fund

Correctional and Judicial Impact Statements

Establishes new Class E crimes.