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 SECOND REGULAR SESSION

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:

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

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

<u>SUMMARY:</u> 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.

Office of Policy and Legal Analysis.....page 11 Fisheries & Wildlife Committee

The new draft was submitted by the Department as a result of the public hearing. The original bill did not split the bait dealers licensing into retail and wholesale categories and did not include the provision making it illegal to take baitfish from a trap without the owner's permission.

House Amendment A made a technical change.

LD AN ACT TO PLACE A SUNSET PROVISION IN THE 2203 ANTLERLESS DEER PERMIT LAW

LVWD

Sponsor: MATTHEWS Z, Greenlaw, Usher, Duffy Committee Report: ONTP

<u>SUMMARY:</u> This bill sought to put a sunset provision on the doe permit. The Department indicated that they would monitor the permit system results and modify the program if necessary. More detail on this subject may be found under LD 2073.

LD AN ACT TO AMEND THE ATV LAWS 2229

PL 1985

c. 762

Sponsor: STUDY REPORT Committee Report: OTP-A

H-662 CA H S H-696 HA H S H-715 JACQUES H S

<u>SUMMARY:</u> This bill was an outgrowth of a study by the Department of Conservation which was mandated by LD 1032. It made the following changes in the ATV laws:

- 1. established the requirement that all ATV operators under 18 years of age must successfully complete a training course approved by the Department of Inland Fisheries and Wildlife before they can operate on land which belongs to someone other than their parents or guardian;
- 2. required that ATVs have a license plate attached to the front of the vehicle as well as the rear;
- 3. increased the annual registration fee from \$7 to \$12;