

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 scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
113TH LEGISLATURE
SECOND REGULAR SESSION



BILL SUMMARY
JOINT STANDING COMMITTEE
ON
FISHERIES AND WILDLIFE

MAY 1988

MEMBERS

Sen. Edgar E. Erwin *
Sen. Ronald E. Usher
Sen. Linda Curtis Brawn

Rep. Paul F. Jacques *
Rep. Herbert E. Clark
Rep. Carl B. Smith
Rep. Dorothy A. Rotondi
Rep. Thomas A. Duffy
Rep. Joseph G. Walker
Rep. Ada K. Brown
Rep. Ernest C. Greenlaw
Rep. Norman E. Weymouth
Rep. Frank H. Farren, Jr.

* Denotes Chair

Staff: Gro Flatebo, Legislative Analyst

Office of Policy & Legal Analysis
Room 101, State House Sta. 13
Augusta, ME 04333
(207) 289-1670

EN T. GINDER, DIRECTOR
EN WHITESIDE, DEP. DIRECTOR
ERT W. BREWER
D C. ELLIOTT
) FLATEBO
THA E. FREEMAN, SR. ATTY.
B. GAUTSCHI
LIAM T. GLIDDEN, JR.



STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS

ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-1670

JULIE S. JONES
JOHN B. KNOX
EDWARD POTTER
MARGARET J. REINSCH
LARS H. RYDELL
JOHN R. SELSER
CAROLYN J. CHICK, PARALEGAL
ROBERT W. DUNN, RES. ASST.
HARTLEY PALLESCHI, JR. RES. ASST.

**ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST & SECOND SPECIAL SESSIONS
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES
MAY 1988**

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. The summaries are arranged by LD number under each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are indicated as follows::

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

Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Secretaries: Charlene Brann, Janet Jean, Earl Knox, Valarie Parlin; Research Assistant Hartley Palleschi. Finally, Secretary Lorette Knox, Legal Assistant Carolyn Chick, and Research Assistant Robert Dunn had special responsibilities in the preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

LD An Act to Regulate the Taking of Turtles for Commercial
2348 Purposes

PUBLIC
608
EMERGENCY

SPONSOR(S)
ROTONDI
JACQUES

COMMITTEE REPORT

AMENDMENTS ADOPTED

SUMMARY

New Draft Of LD 2018

This bill was introduced in response to an incident in the summer of 1987 where dozens of large snapping turtles were dumped near a pond and left to die and rot. There were no means to track down who had dumped the turtles and why. The original bill would have required anyone harvesting snapping turtles to obtain a license from the department for \$10, to provide a mechanism to track harvesters.

The new draft requires people harvesting snapping turtles for commercial purposes to obtain a permit. The department also is required to promulgate rules for the humane handling of these turtles.

LD An Act to Revise and Modify Certain Laws Relating to the
2372 Department of Inland Fisheries and Wildlife

PUBLIC
696

SPONSOR(S)
JACQUES
ERWIN E
BRAWN
FARREN

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-548

SUMMARY

This is the annual departmental bill to update small portions of their statutes and to correct technical errors. LD 2372 was amended by the committee to include a broader range of topics. There was no fiscal note on this bill.

Section 1 of the committee amendment (H-548) amends the definition of driving deer to include moose, and section 14 prohibits moose driving.

Section 2 moves the definition of sporting dogs into the definitions section of the inland fisheries and wildlife laws.

The mandatory minimum fine for many fish and wildlife related violations was recently increased by the Legislature from \$500 to \$1,000. Section 3 increases, accordingly, the amount of personal recognizance which a game warden may accept from a prisoner when the arrest takes place more than 50 miles from the nearest District Court having jurisdiction.

Section 4 removes a provision pertaining to license revocation for persons convicted of 2nd fish and wildlife violations. This section is no longer

necessary since, in 1987, the commissioner's authority to revoke licenses was increased from one to 5 years for conviction of any fish and wildlife violation.

Section 5 establishes the same species restrictions on the holder of an alien small game license as currently exists for the holder of either a resident or nonresident small game license.

Section 6 clarifies that licensed trappers may carry a .22 caliber firearm at any time during the open trapping season, including nights and Sundays, for the sole purpose of dispatching trapped animals.

Sections 7 and 8 update the law concerning the licensing of field trials for bird dogs to eliminate those provisions which are overly restrictive and unnecessary.

Section 9 specifically bans placing of bear bait after October 31st.

Section 10 makes it illegal to kill or wound a bear that has been treed or held at bay by another person's dogs.

Under current law, all moose legally harvested must be registered by an employee of the department. Section 11 gives the commissioner the authority to designate agents to maintain moose registration stations and register each moose legally presented. This change will result in additional moose registration stations, increasing service to the hunting public.

Section 12 allows the department to utilize an adhesive moose transportation tag. This tag is printed as part of the moose hunting permit and is designed to be attached to the leg of the animal rather than to the head.

Section 13 amends the subsection pertaining to illegal firearms for hunting moose by deleting the reference to handguns.

Section 15 makes it illegal to fish from any part of several fishways.

Section 16 removes the definition of immediate supervision of ice-fishing lines, which did require remaining within 500 yards of set lines.

Section 17 clarifies that electronic fish finders are legal devices and thereby eliminates current confusion concerning this topic.

Section 18 clarifies that it is lawful to train sporting dogs at any time.

Section 19 gives the commissioner the authority to permit the use of conventional firearms in training bird dogs on wild birds which have been raised in captivity.