

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
113TH LEGISLATURE  
SECOND REGULAR SESSION



BILL SUMMARY  
JOINT STANDING COMMITTEE  
ON  
FISHERIES AND WILDLIFE

MAY 1988

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Sen. Linda Curtis Brawn

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\* Denotes Chair

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**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::*

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

*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.*

The bill also increases the size of the Advisory Board for the Licensing of Guides to ensure that several members are recreation-oriented.

The laws covering camp trip leaders are reorganized and amended to require the department to develop standards to define when a trip is considered unsafe.

A committee amendment (H-611) changes the required date for the department to promulgate rules and included an allocation for public members of the Advisory Board for the Licensing of Guides.

A Senate Amendment (S-421) corrects several technical problems and a House Amendment (H-654) guaranteed that all licenses sold before the effective date of the Act would remain in effect until they expired.

LD 2446	RESOLVE, to Establish the Special Commission on Boating	RESOLVE 111 EMERGENCY
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<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
SIMPSON	OTP-AM	H-618
STANLEY		S-539 PEARSON
CLARK H		
BLACK		

SUMMARY

This bill proposes to establish a special commission on boating safety. A tremendous increase in recreational boating has fueled many conflicts between user groups on Maine's rivers and lakes. The department has recently completed a comprehensive boating plan which addresses many of these problems.

A committee amendment included an emergency preamble on the bill, removed per diem expenses for commission members and made technical changes to the fiscal note.

<b>LD</b> <b>2460</b>	An Act to Make Supplemental Allocations to the Department of Inland Fisheries and Wildlife for the Fiscal Years Ending June 30, 1988 and June 30, 1989	P & S 112 EMERGENCY
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<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
GREENLAW	OTP	
BRAWN		

SUMMARY

The Department's Biennial Budget which was enacted during the First Regular Session of the 113th Legislature, included an allocation for \$160,000 in each of the two years to accommodate a transfer of federal funds from the Department of Conservation to acquire and maintain motorboat access sites. However, only \$80,000 of this money (\$40,000 annually) was allocated in the State account; the remainder was allocated in the Federal Account.

Since federal reimbursement for up to 75% of the cost of these types of projects is contingent upon an initial expenditure of State funds, the bill

allocates the entire amount (\$160,000 annually) in the State account. Thus, LD 2460 makes the changes necessary for the department to take full advantage of the funds which have already been transferred from the Department of Conservation for acquisition and development of motorboat access.

**LD An Act Pertaining to Free Hunting Licenses For Residents LV/WD**  
**2471 Over 70 Years of Age Who Have Had Military Service**

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
SMITH	LV/WD	
WALKER		
DUFFY		
JACKSON		

**SUMMARY**  
The State of Maine currently has in place a mandatory hunter safety training requirement. It was enacted by the Legislature to make hunting not only safer through firearm training but also to provide important instruction in subjects such as survival, first aid, and hunter conduct. Instructions are also given in wildlife laws and regulations.

This bill proposed to exempt residents over 70 years of age from the hunter safety course requirement if they have had prior military service, since these people get firearm training as part of their service requirement.

**LD An Act to Amend the Endangered Species Act PUBLIC**  
**2567 800**

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
MCGOWAN		H-528 JACQUES
USHER		
CLARK H		
JACQUES		

**SUMMARY**  
ND Maj Rpt of 2164

The original bill would have permitted the Attorney General to bring injunctive proceedings to prevent the harm, misuse or harassment of endangered species and in emergencies where species of animals or plants in the State are in serious jeopardy, would have required the Commissioner of Inland Fisheries and Wildlife to request that an injunctive proceeding be initiated. This parallels the general injunctive authority of the Attorney General to enforce laws administered by the Department of Environmental Protection.

The bill also proposed a new enforcement mechanism to permit citizen injunctive proceedings, provided that a 60 day notice was given and the State itself was not taking action.

At the public hearing, an amendment was offered to require the department to identify essential habitat for endangered species and to develop protection