

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
FISHERIES AND WILDLIFE

JULY 1993

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE  
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE  
BILL SUMMARIES**

**JULY 1993**

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 volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>P&amp;S XXX</i>	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>ONTP</i>	<i>Ought Not to Pass report accepted</i>
<i>ENACTMENT FAILED</i>	<i>Bill failed to get majority vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>DIED BETWEEN BODIES</i>	<i>House &amp; Senate disagree; bill died</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference formed but unable to agree</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin.

If you have any suggestions or comments on these summaries, please let us know.

4693NRG

**LD 652      An Act to Guide Cold-water Fisheries Management in Maine      ONTP**

**SPONSOR(S)                      COMMITTEE REPORT                      AMENDMENTS ADOPTED**  
ZIRNKILTON                      ONTP

**SUMMARY**

This bill proposed to require the Commissioner of Inland Fisheries and Wildlife to formulate and adopt a comprehensive cold-water fisheries management plan to guide cold-water fisheries management, including cold-water fisheries stocking efforts, in this State. The commissioner would have been required to provide for and encourage public input before adopting a management plan.

**LD 663      An Act Regarding Doe Permits      ONTP**

**SPONSOR(S)                      COMMITTEE REPORT                      AMENDMENTS ADOPTED**  
CLARK                              ONTP

**SUMMARY**

This bill proposed to allow residents over 70 years of age to hunt antlerless deer without a permit.

**LD 674      An Act to Amend the Laws on Whitewater Rafting      ONTP**

**SPONSOR(S)                      COMMITTEE REPORT                      AMENDMENTS ADOPTED**  
ROTONDI                              ONTP

**SUMMARY**

This bill proposed to address 6 different matters related to whitewater rafting in this State.

1. Under current law, the Commissioner of Inland Fisheries and Wildlife reviews an outfitter's whitewater experience in making decisions about granting commercial whitewater rafting allocations on the Penobscot River and the Kennebec River. There are 2 types of experience that are reviewed: experience on the river for which the allocation is sought and experience on rivers other than the those for which the allocation is sought. There has been some controversy about the proper interpretation of what the 2nd type of experience includes. The bill proposed to clarify this provision.
2. Current law provides that the Commissioner of Inland Fisheries and Wildlife must establish an 800 commercial passenger limit for Sundays on the Kennebec River if the commissioner anticipates sufficient releases of water. The bill proposed to establish an 800 commercial passenger limit for Sundays and to remove the requirement that the commissioner establish the limit by rule.
3. The bill proposed to remove the requirement that there be allocations on the Penobscot River on Sundays.
4. The bill proposed to remove obsolete references to the Whitewater Advisory Committee, which was terminated by sunset on June 30, 1990.
5. Under current law, an outfitter may not transfer allocations, through the Department of Inland Fisheries and Wildlife, to another outfitter unless the first outfitter surrenders that outfitter's license to the department. This stands in the way of an outfitter transferring a portion of the

outfitter's business to another outfitter. The bill proposed to remove this impediment. It would have left in place the requirement that if an outfitter sells the outfitter's entire business the outfitter must surrender the outfitter's license to the department.

6. The bill proposed to remove the provision of law requiring the Department of Inland Fisheries and Wildlife to set aside 10% of the recreational use on rapidly flowing rivers for noncommercial use.

(All of these provisions were adopted in LD 736, except that item 3, above, was adopted in modified form.)

**LD 681      An Act to Prohibit Commercial Hunting on Unlicensed Land      PUBLIC 216**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
PEARSON	OTP-AM	S-133

**SUMMARY**

This bill proposed to make it illegal for a landowner to charge a fee for harvesting game on the landowner's land if the land is not licensed as a commercial shooting area.

The committee amendment (S-133) strikes and replaces the bill. This amendment prohibits the charging of fees for access to land that are contingent upon or directly related to the taking of game on that land.

**LD 689      An Act to Increase Fees Charged by Agents to Issue Sporting Licenses      ONTP**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
BEGLEY	ONTP	

**SUMMARY**

This bill proposed to increase the fees that town clerks and other agents retain for various sporting licenses or duplicates issued by them.

**LD 695      An Act to Require the Issuance of Antlerless Deer Permits to All Individuals Receiving Free Hunting Licenses      ONTP**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
HANLEY	ONTP	

**SUMMARY**

This bill proposed to provide that every individual eligible for a complimentary license to hunt is also eligible for a complimentary antlerless deer permit. These individuals would not have been subject to the lottery for antlerless deer permits. This provision would have applied to residents over 70 years of age, resident paraplegics, resident disabled war veterans, resident disabled veterans, holders of the Congressional Medal of Honor and members of Maine Indian tribes.