

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

SECOND REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
INLAND FISHERIES AND WILDLIFE**

JULY 2000

MEMBERS:

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Sen. Richard P. Ruhlin
Sen. R. Leo Kieffer*

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ONE HUNDRED NINETEENTH LEGISLATURE
SECOND REGULAR SESSION

Summary Of Legislation Before The Joint Standing Committees
July 2000

We are pleased to provide this summary of bills that were considered by the Joint Standing and Select Committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing and select committees.

The document is organized for convenient reference to information on bills considered by the committees. It is organized by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

- CON RES XXX*..... Chapter # of Constitutional Resolution passed by both Houses
- CONF CMTE UNABLE TO AGREE*..... Committee of Conference unable to agree; bill died
- DIED BETWEEN BODIES*..... House & Senate disagree; bill died
- DIED IN CONCURRENCE*..... One body accepts ONTP report; the other indefinitely postpones the bill
- DIED ON ADJOURNMENT*..... Action incomplete when session ended; bill died
- EMERGENCY*..... Enacted law takes effect sooner than 90 days
- FAILED EMERGENCY ENACTMENT/FINAL PASSAGE*..... Emergency bill failed to get 2/3 vote
- FAILED ENACTMENT/FINAL PASSAGE*..... Bill failed to get majority vote
- FAILED MANDATE ENACTMENT*..... Bill imposing local mandate failed to get 2/3 vote
- NOT PROPERLY BEFORE THE BODY*..... Ruled out of order by the presiding officers; bill died
- INDEF PP*..... Bill Indefinitely Postponed
- ONTP*..... Ought Not To Pass report accepted
- OTP ND*..... Committee report Ought To Pass In New Draft
- OTP ND/NT*..... Committee report Ought To Pass In New Draft/New Title
- P&S XXX*..... Chapter # of enacted Private & Special Law
- PUBLIC XXX*..... Chapter # of enacted Public Law
- RESOLVE XXX*..... Chapter # of finally passed Resolve
- UNSIGNED*..... Bill held by Governor
- VETO SUSTAINED*..... Legislature failed to override Governor's Veto

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is August 11, 2000.

David E. Boulter, Director
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LD 730

An Act to Allow Certain Disabled Persons to Fly-fish With Any Type of Rod and Reel

PUBLIC 632

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY R	OTP-AM	H-887

LD 730 proposed to require the Commissioner of Inland Fisheries and Wildlife to adopt rules permitting a physically disabled person to fly-fish with an open-faced reel if that disability would prevent that person from fly-fishing without the use of this type of reel.

Committee Amendment "A" (H-887) proposed to replace the bill and to allows a person who possesses a valid fishing license and has suffered the physical loss of an arm to use any type of rod and reel to fish with a fly on waters open to fly-fishing. The amendment defined the term "loss of an arm" to mean the physical loss of the arm above the wrist.

Enacted law summary

Public Law 1999, chapter 632 allows a person who possesses a valid fishing license and has suffered the physical loss of an arm to use any type of rod and reel to fish with a fly on waters open to fly-fishing. The term "loss of an arm" means the physical loss of the arm above the wrist.

LD 846

An Act to Allow Elderly License Holders and Children to Fish by Any Method

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE C	ONTP	

LD 846 proposed to allow elderly license holders and children to take fish by any method.

LD 971

An Act to Allow Three Hunters to Hunt Deer Together

PUBLIC 588

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERKINS	OTP-AM MAJ ONTP MIN	H-799

LD 971 allows 3 hunters to hunt deer together without being guilty of driving deer.

Committee Amendment "A" (H-799), the majority report of the Joint Standing Committee on Inland Fisheries and Wildlife, amends the bill by clarifying that 3 or fewer persons may hunt together without being guilty of driving deer, provided that they do not use noisemaking devices.

Enacted law summary

Public Law 1999, chapter 588 allows 3 or fewer persons to hunt together without being guilty of driving deer, provided that they do not use noisemaking devices.

LD 1026 **An Act to Allow Crossbow Use During Archery Season by a Person who has Lost the Use of a Hand** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COWGER DOUGLASS	ONTP	

LD 1026 proposed to allow a person who has permanently lost the use of one or both hands to use a crossbow during the archery hunting season and during any open season.

LD 1052 **An Act to Assist Disabled Fly-fishing Anglers** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING J	ONTP	

LD 1052 allows a person with a disability to utilize a spin-casting reel and rod and an artificial fly when fishing in waters designated as fly-fishing-only waters.

LD 1225 **Resolve, to Direct the Department of Inland Fisheries and Wildlife to Review Rules for Compliance with the Americans With Disabilities Act** **RESOLVE 101**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY R	OTP-AM	H-886

LD 1225 requires the Commissioner of Inland Fisheries and Wildlife to review the departmental rules and regulations to ensure compliance with the federal Americans With Disabilities Act. This resolve also requires the commissioner to report back to the Joint Standing Committee on Inland Fisheries and Wildlife by January 15, 2000 with regard to rule modifications to obtain compliance with the Americans With Disabilities Act.

Committee Amendment "A" (H-886) replaces the resolve. The amendment requires the Commissioner of Inland Fisheries and Wildlife to comprehensively review the issue of expanding hunting and fishing opportunities to disabled persons and to report the findings and recommendations to the Joint Standing Committee on Inland Fisheries and Wildlife by January 1, 2001. The report must include a review of the department's current authority to issue unconventional or special privilege licenses for any type of disability, including temporary disabilities, and the criteria and standards used by the Department of Inland Fisheries and Wildlife to determine eligibility for such licenses. The report must also include recommendations for improving the promotion of hunting and fishing opportunities in the State to the disabled community, on the use of special or group hunts or special seasons for the disabled, on allowing another person to assist a disabled person to hunt or fish and on methods to address any safety issues that may be associated with hunting or fishing by disabled persons.