

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
119TH LEGISLATURE**

**FIRST REGULAR SESSION**

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

**JULY 1999**

***MEMBERS:***

***Sen. Marge L. Kilkelly, Chair***

***Sen. Richard P. Ruhlin***

***Sen. R. Leo Kieffer***

***Rep. Matthew Dunlap, Chair***

***Rep. Richard H. C. Tracy***

***Rep. Joseph E. Clark***

***Rep. Bruce S. Bryant***

***Rep. William R. Cote***

***Rep. Royce W. Perkins***

***Rep. Howard A. Chick***

***Rep. Harry G. True***

***Rep. Kenneth A. Honey***

***Rep. A. David Trahan***

***Staff:***

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**ONE HUNDRED NINETEENTH LEGISLATURE**  
**FIRST REGULAR SESSION**

**Summary Of Legislation Before The Joint Standing and Select Committees**  
**August 1999**

We are pleased to provide this summary of all 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](http://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:

*CARRIED OVER*.....Bill carried over to Second Regular Session  
*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  
*ENACTMENT FAILED*..... Bill failed to get vote required for enactment or final passage  
*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 First Regular Session (unless otherwise specified in a particular law) is September 18, 1999.

LD 1103 proposed to reduce the expanded archery deer hunting license fee from \$40 to \$20 for a resident and from \$80 to \$40 for a nonresident. The bill also proposed to remove language that repealed the laws governing the expanded archery deer hunting season on April 1, 1999.

**LD 1108**                      **An Act to Create the Home Port Rule**                      **ONTP**

<u>Sponsor(s)</u> DUNLAP		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1108 proposed to allow a person to operate a personal watercraft on a body of water on which use of personal watercraft is otherwise banned if the person owns land on the shore of that body of water and if the person owns the personal watercraft.

**LD 1150**                      **An Act to Amend the Moose Hunting Laws**                      **ONTP**

<u>Sponsor(s)</u> SIROIS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1150 proposed to allow a moose hunting permit holder to take either one male moose or two female moose.

**LD 1175**                      **An Act to Create a 2-year Moratorium on the "Bucks Only" Restriction Imposed on Deer Hunters**                      **ONTP**

<u>Sponsor(s)</u> KASPRZAK		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1175 proposed to allow a person to kill a male deer or female deer during the deer hunting seasons in calendar years 1999 and 2000.

**LD 1195**                      **An Act to Create Accountability in the Management of Trout and Salmon in Maine**                      **PUBLIC 326**

<u>Sponsor(s)</u> KIEFFER DUNLAP		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-252
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LD 1195 proposed to make any rule that affects the management of brook trout or landlocked salmon a major substantive rule under the Maine Administrative Procedure Act. The bill also proposed to require the Department of Inland Fisheries and Wildlife to include in its submission to the Legislature documentation on at least two years of prior research by qualified fisheries biologists demonstrating the need for the proposed change.

**Committee Amendment "A" (S-252)** proposed to change fishing rules from major substantive to routine technical rules, strike the research plan requirements in the bill and require the Department of Inland Fisheries and Wildlife to provide information to the public with regard to biological and fisheries perspectives and opportunities. The amendment also proposed to add a fiscal note to the bill.

*Enacted law summary*

Public Law 1999, chapter 326 provides that any rule that affects the management of brook trout or landlocked salmon is a routine technical rule. The law also requires the Department of Inland Fisheries and Wildlife to provide information to the public with regard to biological and fisheries perspectives and opportunities.

**LD 1204**

**An Act to Amend the Fishing Laws**

**PUBLIC 321**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KILKELLY DUNLAP	OTP-AM	S-253

The bill proposed to redefine the terms "single-baited hook," "fly" and "fly fishing." It also proposed to clarify that the prohibition on trolling applies only to persons fishing from mechanically powered boats, clarify that one-day and three-day fishing licenses are valid for the hours specified on the license, amend the laws regarding fishing with illegal implements and repeal the laws pertaining to the illegal use of helicopters.

**Committee Amendment "A" (S-253)** proposed to clarify that the definition of fly fishing means casting and retrieval in a manner in which the weight of the fly line propels the fly. It also proposed to clarify that the prohibition on trolling applies only to persons fishing from wind, manual or mechanically powered boats.

*Enacted law summary*

Public Law 1999, chapter 321 redefines the terms "single-baited hook," and "fly" and clarifies the definition of "fly fishing" to mean casting and retrieval in a manner in which the weight of the fly line propels the fly. It also clarifies that the prohibition on trolling applies only to persons fishing from wind, manual or mechanically powered boats, clarifies that one-day and three-day fishing licenses are valid for the hours specified on the license, amends the laws regarding fishing with illegal implements and repeals the laws pertaining to the illegal use of helicopters.

**LD 1225**

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

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY R		

LD 1225 proposes to require 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 proposes to require 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.