

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

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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).

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
ONT P.....	Ought Not To Pass report accepted
OT P ND.....	Committee report Ought To Pass In New Draft
OT P 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.

Sponsor(s)
KILKELLY
DUNLAP

Committee Report
OTP-AM

Amendments Adopted
H-639 DUNLAP
S-254
S-450 MICHAUD

LD 2045 proposed to establish the 18-member Citizens' Advisory Committee to Secure the Future of Maine's Wildlife and Fish. The bill proposed to require the committee to report its findings and any recommended legislation to the Joint Standing Committee on Inland Fisheries and Wildlife by January 15, 2001.

Committee Amendment "A" (S-254) proposed to add 2 additional members of the House of Representatives, 2 people representing large and small businesses involved in the forest products industry, a trapper and a fish and wildlife law enforcement officer to the membership of the Citizens' Advisory Committee to Secure the Future of Maine's Wildlife and Fish. The amendment also proposed to add an appropriation section, allocation section and fiscal note to the bill.

House Amendment "A" (H-639) proposed to remove the provision that requires the President of the Senate and the Speaker of the House to consult with the Chairs of the Joint Standing Committee on Inland Fisheries and Wildlife prior to appointing legislative members of the Citizens' Advisory Committee to Secure the Future of Maine's Wildlife and Fish.

Senate Amendment "A" to Committee Amendment "A" (S-450) proposed to make technical corrections to the resolve needed to make the resolve consistent with the legislative study guidelines. Specifically, the amendment proposed to change the date of the first meeting, clarify the language concerning chairs, clarify the compensation and staffing provisions and change the reporting date. The amendment also proposed to make this an emergency measure.

Enacted law summary

Resolve 1999, chapter 86 establishes the 24-member Citizens' Advisory Committee to Secure the Future of Maine's Wildlife and Fish. The law requires the committee to report its findings and any recommended legislation to the Joint Standing Committee on Inland Fisheries and Wildlife by December 15, 2000.

LD 2088

An Act to Revise Certain Provisions of the Fish and Wildlife Laws

**PUBLIC 403
EMERGENCY**

Sponsor(s)
KILKELLY
CLARK

Committee Report
OTP-AM

Amendments Adopted
H-747 DUNLAP
S-292
S-322 KILKELLY
S-358 KILKELLY
S-368 KILKELLY
S-377 KILKELLY

LD 2088 proposed to make a number of changes to the laws governing inland fish and wildlife.

This bill was submitted on behalf of the Department of Inland Fisheries and Wildlife.

Committee Amendment "A" (S-292) proposed to create a wildlife rehabilitation permit, allow snowmobiles registered as antique snowmobiles to be used for occasional personal use, prohibit any special fishing regulations on the Big Machias River until September 1, 2001, prohibit fishing from the fishway of the Sheepscot Lake Dam in Palermo and clarify that it is not unlawful to have a loaded firearm in a motorboat but that it is unlawful to shoot from a motorboat.

House Amendment "A" to Committee Amendment "A" (H-747) was a proposed technical amendment. Committee Amendment "A" included a proposed retroactivity clause for a section of statute that was reallocated. Subsequently, Senate Amendment "A" to Committee Amendment "A" proposed to repeal that section and proposed to enact a substantively similar provision elsewhere in the statutes, so that the retroactivity clause would refer to the section that was repealed.

Senate Amendment "A" (S-358) proposed to remove the language that makes it illegal to trap bear with more than 2 traps at one time.

Senate Amendment "A" to Committee Amendment "A" (S-322) proposed to change the allocation of a section of law enacted in Public Law 1997, chapter 739. The only substantive change proposed by this amendment is to change the period for which personal watercraft rental and leasing agent certificates are valid from July 1st to June 30th to January 1st to December 31st.

Senate Amendment "B" (S-368) proposed to remove the provision of the bill that repealed the exemption for nonresidents who hold a valid Maine guide license from the requirement that nonresidents hunting bear with the use of dogs employ and hunt with a resident Maine guide.

Senate Amendment "C" (S-377) proposed to make deallocations because the clerical position for the Support Landowners Program is already funded in the Part I budget, Public Law 1999, chapter 16. The amendment also proposed to allocate funds to reorganize personnel overseeing the whitewater rafting program and to establish a new position in the Wildlife Habitat Group.

Enacted law summary

Public Law 1999, chapter 403 makes the following changes to the laws governing inland fish and wildlife.

1. It clarifies that a felon may not obtain or possess license or permit issued by the Department of Inland Fisheries and Wildlife that authorizes a person to hunt with a firearm.
2. It requires that a person sign that person's hunting, fishing or trapping license upon issuance.
3. It adds a license for the expanded archery license to the list of complimentary licenses and permits available for persons 70 years of age or older and disabled veterans.
4. It repeals the provision of law that requires the Commissioner of Inland Fisheries and Wildlife to suspend a person's hunting license for at least one year if that person is convicted of abuse of another person's property while hunting.
5. It provides that a moose hunter may hunt moose with a bow and arrow on that hunter's big game license rather than requiring that hunter to purchase the special archery license.
6. It repeals a provision in the laws governing the muzzle-loading hunting season that if a person takes a deer during any open season on deer, that person is precluded from further hunting for deer during that year.
7. It repeals the requirement that anyone who has been issued a permit to hunt, trap, possess, band and transport wild animals and wild birds for scientific purposes must report to the commissioner every year.

8. It prohibits certain persons who are prohibited from possessing or being in control of firearms from obtaining or possessing the specialized hunting guide license.
9. It requires that a guide must report a violation by a client by the quickest means of communication possible.
10. It changes the special hide dealer's license commencement period from October 1st to September 1st.
11. It clarifies that a person licensed or otherwise entitled to fish in waters in this State may take suckers only for that person's own use.
12. It clarifies that a person is guilty of having a loaded firearm in or on a motor vehicle if that person while in or on a motor vehicle has any firearm with a cartridge or shell in the chamber or in an attached magazine, clip or cylinder or a muzzle-loading firearm charged with powder, lead and a primed-ignition device or mechanism. It also clarifies that it is not unlawful to have a loaded firearm in a motorboat but that it is unlawful to shoot from a motorboat.
13. It provides that a person may leave an unregistered deer, bear or moose in the woods for a period of time no longer than 18 hours before notifying a warden.
14. It repeals certain provisions relating to open season for hunting partridge.
15. It repeals the requirement that if a moose is dismembered for ease of transportation all pieces of the moose must be labeled with the name and address of the person who killed the moose.
16. It changes references to the "Visitor's Center at Gray" to the "Maine Wildlife Park".
17. It amends the laws regarding snowmobile rental agents by requiring that the rental agents register a snowmobile that they rent or lease in this State.
18. It amends the laws regarding personal watercraft rental agents by requiring that the rental agents register a personal watercraft that they rent or lease in this State and also changes the period for which personal watercraft rental and leasing agent certificates are valid from July 1st to June 30th to January 1st to December 31st to be consistent with boat registrations.
19. It creates a wildlife rehabilitation permit,
20. It allows snowmobiles registered as antique snowmobiles to be used for occasional personal use,
21. It prohibits any special fishing regulations on the Big Machias River until September 1, 2001,
22. It prohibits fishing from the fishway of the Sheepscot Lake Dam in Palermo
23. It allocates funds to reorganize personnel overseeing the whitewater rafting program and to establish a new position in the Wildlife Habitat Group.

Chapter 403 was enacted as an emergency measure effective June 4, 1999.

LD 2095

An Act to Stagger Registration for Watercraft, All-terrain Vehicles and Snowmobiles

ONTP