

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
ONT P..... 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
Offices Located in the State House, Rooms 101 & 107

This law also establishes that adult lifetime hunting and fishing licenses be available in January of 2006 for persons from 16 to 64 years of age and requires the Department of Inland Fisheries and Wildlife submit its recommendations for a fee structure for such licenses to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters in January of 2005. That committee may then report out a bill to the first regular session of the 122nd Legislature to implement a fee structure for the adult lifetime hunting and fishing licenses.

Public Law, chapter 690 was enacted as an emergency measure effective April 13, 2000.

LD 2671

**An Act to Implement Municipal Recommendations Regarding
Surface Water Use on Great Ponds**

**PUBLIC 697
EMERGENCY**

Sponsor(s)

Committee Report
OTP-AM

Amendments Adopted
S-639 GOLDTHWAIT

LD 2671 was reported out by a majority of the members of the Joint Standing Committee on Inland Fisheries and Wildlife pursuant to House Paper 1840.

This bill proposed to implement municipal recommendations regarding surface water use on great ponds (see enacted law summary for details).

Committee Amendment "A" (H-1030), the minority report of the Joint Standing Committee on Inland Fisheries and Wildlife, proposed the same measures as did the majority report except that it proposed to remove from the bill surface water use recommendations on 11 great ponds that were rejected by the subcommittee that reviewed the initial recommendations but were subsequently included in the bill by a majority vote of the committee.

Senate Amendment "A" (S-639) proposed to prohibit the operation of personal watercraft on Somes Pond, Long Pond and Little Long Pond.

Enacted law summary

Public Law 1999, chapter 697 prohibits the operation of personal watercraft on Megunticook Lake in the Town of Camden, the Town of Hope and the Town of Lincolnville; on Hobbs Pond, Fish Pond and Alford Lake in the Town of Hope; on Norton Pond and Coleman Pond in the Town of Lincolnville; on Pitcher Pond in the Town of Lincolnville and the Town of Northport; on Torsey Lake in the Town of Mount Vernon and the Town of Readfield; on Trickey Pond in the Town of Naples; between sunset and 9:00 a.m. on Brandy Pond in the Town of Naples; on Fulton Lake in the Town of Northfield; on Knight Pond in the Town of Northport; on Moose Pond and Saturday Pond in the Town of Otisfield; on Tripp Pond, Upper Range Pond and Middle Range Pond in the Town of Poland; on Keewaydin Lake, Virginia Lake, Trout Pond, Weymouth Pond and Whitney Pond in the Town of Stoneham; on Lermond Pond in the Town of Union and the Town of Hope; on Pocasset Lake and Pickerel Pond in the Town of Wayne; on Androscoggin Lake in the Town of Wayne and the Town of Leeds; on Little Cobbosseecontee Lake in the Town of Winthrop, on Somes Pond and Little Long Pond in the Town of Mount Desert and on Long Pond in the Towns of Mount Desert and Southwest Harbor.

The bill also prohibits the operation of watercraft at greater than headway speed within 1/2 mile of the boat launches located on the north and south ends of Torsey Lake in the Town of Mount Vernon and the Town of Readfield, prohibits the operation of a watercraft equipped with a motor greater than 10 horsepower on Cold Rain Pond in the Town of Naples and on Holt Pond in the Town of Naples and the Town of Bridgton and prohibits the operation of a watercraft equipped with a motor greater than 5 horsepower on Moose Pond in the Town of Otisfield. A prohibition on the operation of watercraft at greater than headway speed on Pickerel Pond in the Town of Wayne was added by PL 1999, chapter 790, the errors and inconsistencies legislation (see Judiciary Committee's bill summaries, LD 2334).

The bill also prohibits the operation of a rented or leased personal watercraft on Brandy Pond in the Town of Naples and on Long Lake in the Town of Naples, the Town of Bridgton and the Town of Harrison unless that personal watercraft has a decal affixed to it that identifies the rental agent.

Public Law 1999, chapter 697 was enacted as an emergency measure effective April 13, 2000.

LD 2691

An Act to Clarify the Law Enforcement Authority of Game Wardens

**PUBLIC 738
EMERGENCY**

Sponsor(s)
KILKELLY

Committee Report

Amendments Adopted

LD 2691 proposed to clarify the law enforcement authority of game wardens. See LD 2274, a similar bill.

Enacted law summary

Public Law 1999, chapter 738 amends the laws delineating wardens' powers to provide authority to stop a motor vehicle or watercraft, as those terms are defined in the fish and wildlife laws, only when the warden is in uniform and has reasonable and articulable suspicion to believe that a violation has taken place or is taking place. This power is consistent with the general authority of law enforcement officers to stop motor vehicles under the Maine Revised Statutes, Title 29-A.

This law authorizes game wardens to make regulatory stops to determine compliance with license, permit, equipment or other requirements or restrictions when the following circumstances exist:

1. The game warden is in uniform;
2. The person is in the act of hunting, fishing or trapping; and
3. The person is not in or on a motor vehicle. The definition of "motor vehicle" in the fish and wildlife laws excludes motorboats but includes all other motor-driven vehicles.

This law also clarifies that wardens have the authority to establish checkpoints to collect statistics and determine compliance with the fish and wildlife laws. Such checkpoints must be established pursuant to policy established by the Commissioner of Inland Fisheries and Wildlife. Current law authorizes wardens to issue citations and prosecute violations and to seize fish and wildlife unlawfully taken.