

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Inland Fisheries and Wildlife*

August 2000

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**120th Legislature
First Regular Session**

**Summary Of Legislation Before The Joint Standing Committees
August 2001**

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 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*
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 First Regular Session (unless otherwise specified in a particular law) is **September 21, 2001**.

David E. Boulter, Director
Offices Located in the State House, Rooms 101/107/135

Joint Standing Committee on Inland Fisheries and Wildlife

LD 127

An Act to Change the Crop Damage by Nuisance Animal Requirements

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P CLARK	ONTP	

LD 127 proposed to prohibit a person convicted of night hunting within the past 10 years from killing or taking nuisance animals that damage crops or orchards. This bill also proposed to allow a person who killed or took nuisance animals to keep only 2 deer, moose or bear carcasses, with the Department of Inland Fisheries and Wildlife would take possession of any excess carcasses.

LD 141

Resolve, for a Multi-year Experimental Program to Test the Effectiveness of Stocking Smelt in Maine Waters

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP CARPENTER		

LD 141 proposed a multi-year experimental program to test the effectiveness of stocking live smelt in the waters of the State.

LD 151

An Act to Ensure that Fishways on Inland Waters are Working

PUBLIC 146

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HONEY	OTP-AM	H-182

LD 151 proposed to require that the Department of Inland Fisheries and Wildlife check fishways at least annually. It also proposed to require the department to adopt rules to establish a schedule of fines for violations involving the improper operation of a fishway.

Committee Amendment "A" (H-182) proposed to require the Commissioner of Inland Fisheries and Wildlife to establish a program to ensure inland fishways are functioning correctly and to do so in cooperation with the Department of Marine Resources and the Atlantic Salmon Commission. This amendment also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 146 requires the Department of Inland Fisheries and Wildlife to check fishways annually and requires the Commissioner of Inland Fisheries and Wildlife to establish a program to ensure inland fishways are functioning correctly and to do so in cooperation with the Department of Marine Resources and the Atlantic Salmon

Joint Standing Committee on Inland Fisheries and Wildlife

Commission. This public law also requires the department to adopt rules to establish a schedule of fines for violations involving the improper operation of a fishway.

LD 166 **An Act Concerning Commercial Shooting Areas**

PUBLIC 49
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRACY MCALEVEY	OTP-AM	H-58

LD 166 proposed to allow the Commissioner of Inland Fisheries and Wildlife to issue free special commercial shooting area hunting licenses to residents of the State who are 70 years of age or older.

Committee Amendment "A" (H-5) proposed to strike the bill and do the following:

1. It proposed to remove the requirement that game birds used by commercial shooting areas and game bird suppliers have leg bands;
2. It proposed to authorize the Commissioner of Inland Fisheries and Wildlife to allow commercial shooting areas to stock Hungarian partridge;
3. It proposed to require a commercial shooting area to provide each person taking birds in that area a receipted invoice or bill of sale for possession and transportation of those birds;
4. It proposed to provide that the distance between commercial shooting areas must be measured between the property lines at their closest points to each other and that a new license can not be issued to a new shooting area prior to 6 months after the expiration of a license possessed by an existing shooting area that is within 5 miles of the new shooting area unless the holder of the expired license states in writing to the commissioner that the license will be abandoned;
5. It proposed to allow the renewal of a shooting area license if applied for within 6 months of the expiration of the old license; and
6. It proposed to increase the fee for commercial shooting area licenses from \$333 to \$500 for the first year and from \$133 to \$250 for every year thereafter.

Enacted law summary

Public Law 2001, chapter 49 allows commercial shooting areas to stock Hungarian partridge and removes the requirement that game birds used by commercial shooting areas possess leg bands. This public law clarifies the distance required between commercial shooting areas, the license issuance and renewal requirements, adds certain operational requirements and sets fees for operating a commercial shooting area.

Public Law 2001, chapter 49 was enacted as an emergency measure effective April 12, 2001.