

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
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Joint Standing Committee on Inland Fisheries and Wildlife

LD 1598 **An Act to Provide for Hunting 7 Days a Week on Lands North of the East-West Highway** **ONTP**

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

LD 1598 proposed to remove the restriction of hunting on Sunday and to allow it every day of the open season on lands North of the East-West Highway.

LD 1604 **An Act Concerning Moose Hunting Permits for Elderly Hunters** **ONTP**

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

LD 1604 proposed to create a random drawing that awarded 100 complimentary moose hunting permits to moose permit applicants who were 70 years of age or older and who held a valid resident hunting license. This drawing would be held immediately after the regular annual public chance moose permit drawing. This bill also proposed to allow a person who was 70 years of age or older and owned 100 or more contiguous acres of land in the State to kill one moose every 5 calendar years on that land without possessing a moose permit if that person held a valid hunting license and took the moose during the open season on moose.

LD 1692 **An Act to Revise Certain Provisions of Maine's Fish and Wildlife Laws** **PUBLIC 387
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARPENTER DUNLAP	OTP-AM	H-611 DUNLAP S-187 S-268 GAGNON

LD 1692 proposed to amend provisions of the State's fish and wildlife laws.

Committee Amendment "A" (S-187) proposed to enact language to allow the Commissioner of Inland Fisheries and Wildlife to sell general merchandise and accept donations of money, goods and services. The amendment proposed to allow individuals under 10 years of age to participate in hunting as long as they do not carry a firearm. The amendment also proposed to remove sections of the bill concerning commercial shooting areas, lifetime licenses, open deer seasons, point systems and effective dates. Additionally, the amendment proposed to repeal warranty requirements for registering snowmobiles and all-terrain vehicles. The amendment proposed to clarify when a person may shoot from a motorboat and add language to clarify a citation.

Finally, it also proposed to add a fiscal note to the bill.

Joint Standing Committee on Inland Fisheries and Wildlife

House Amendment "A" (H-611) proposed to provide for staggered terms for members of the whitewater guides advisory board so that not all terms expire at the same time. The amendment also proposed to correct several provisions of law that were omitted from the legislation enacted in the last session of the Legislature to decriminalize certain fish and wildlife violations. Without this amendment, these inconsistencies would remain in law during the summer's boating and all-terrain vehicle season. The amendment also proposed to repeal the requirement that the Department of Inland Fisheries and Wildlife adopt by rule a schedule of fines for the improper operation of a fishway.

This amendment also proposed to remove the enforcement of the laws concerning sales of snowmobiles and all-terrain vehicles from the jurisdiction of the game wardens and places the provisions with the franchise laws.

This amendment also proposed to add a fiscal note to the bill.

Senate Amendment "A" (S-268) proposed to remove the requirement that the registration number for an ATV be displayed on the front of that vehicle. It proposed to retain the requirement that the registration number be displayed on the rear of the vehicle.

Enacted law summary

Public Law 2001, chapter 387 makes changes to the State's fish and wildlife laws, including the following:

1. It clarifies the duties of the Division of Public Information and Education within the Department of Inland Fisheries and Wildlife;
2. It changes specifications required for bows used during special archery season on deer;
3. It changes certain provisions related to moose hunting;
4. It allows the introduction of otherwise illegal fish or fish spawn into a private pond for fishing events held in conjunction with educational or special programs sanctioned by the Department of Inland Fisheries and Wildlife;
5. It requires that watercraft accidents involving damage only to watercraft or other property to the estimated amount of \$1,000 or more must be reported;
6. It clarifies certain provisions related to the operation and rental or lease of personal watercraft;
7. It clarifies certain provisions related to the registration and operation of a snowmobiles and all-terrain vehicles;
8. It enacts language to allow the Commissioner of Inland Fisheries and Wildlife to sell general merchandise and accept donations of money, goods and services;
9. It allows individuals under 10 years of age to participate in hunting as long as they do not carry a firearm;
10. It clarifies when a person may shoot from a motorboat and adds language to clarify a citation;
11. It provides for staggered terms for members of the whitewater guides advisory board so that not all terms expire at the same time;
12. It corrects several provisions of law to decriminalize certain fish and wildlife violations;
13. It repeals the requirement that the Department of Inland Fisheries and Wildlife adopt by rule a schedule of fines for the improper operation of a fishway; and
14. It removes the enforcement of the laws concerning sales of snowmobiles and all-terrain vehicles from the jurisdiction of the game wardens and places the provisions with the franchise laws.

Public Law 2001, chapter 387 was enacted as an emergency measure effective June 12, 2001.