

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
Inland Fisheries and Wildlife*

May 2002

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120th Legislature
Second Regular Session

Summary Of Legislation Before The Joint Standing Committees
May 2002

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 arranged alphabetically by committee name 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:

<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PASSED</i>	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is July 25, 2002.

Patrick T. Norton, Interim Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Inland Fisheries and Wildlife

LD 2040 **An Act to Change the Registration Requirement for Certain Motorboats Used in Maine Waters** **ONTP**

<u>Sponsor(s)</u> BRUNO		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 2040 proposed to require that motorboats registered in another state or country that were used on Maine waters in excess of 14 consecutive days would be registered in the State.

LD 2078 **An Act to Ban the Use of Aircraft While Hunting** **PUBLIC 610**

<u>Sponsor(s)</u> CARPENTER DUNLAP		<u>Committee Report</u> OTP-AM MAJ ONTP MIN		<u>Amendments Adopted</u> S-483
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LD 2078 proposed to prohibit the use of aircraft to hunt big game and to prohibit a person from hunting big game on the same hunting day that the person has flown on a chartered or privately owned aircraft.

Committee Amendment "A" (S-455), which was not enacted, proposed to remove the prohibition on a person hunting a big game animal on the same day that person was airborne on a chartered or privately owned aircraft. It also adds a fiscal note to the bill.

Committee Amendment "B" (S-483), which was adopted, proposed to remove the prohibition on a person hunting a big game animal on the same day that person was airborne on a chartered or privately owned aircraft. It also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 610 prohibits the use of aircraft to hunt big game.

LD 2081 **An Act to Implement the Unanimous and the Majority Recommendations of the Commission to Study Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft** **PUBLIC 693**

<u>Sponsor(s)</u>		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-1054
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LD 2081 proposed to implement the unanimous and the majority recommendations of the Commission to Study Equity in the Distribution of Gasoline Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft and is reported pursuant to Resolve 2001, chapter 68. This bill proposed to immediately increase annual gasoline tax allocations to those agencies that support those outdoor recreational activities by 50% of the current amount in fiscal years 2002-03, 2003-04 and 2004-05, while ensuring full equity over the longer term by establishing a process that will result in the allocation of 100% of the excise taxes for gasoline paid by those users back to the programs that support those activities beginning in fiscal year 2005-06.

Joint Standing Committee on Inland Fisheries and Wildlife

The bill proposed to the Department of Transportation, the Department of Conservation, the Department of Inland Fisheries and Wildlife and the Department of Marine Resources jointly conduct surveys every 3 years to determine the amount of gasoline consumed by each of the user groups. After reviewing those results, the State Controller would certify to the State Tax Assessor the specific percentage of total gasoline excise tax revenues that is to be allocated to the agencies administering those programs.

The bill also proposed to require the Commissioner of Inland Fisheries and Wildlife to maintain snowmobile, watercraft and all-terrain vehicle registration data, including the telephone number of the registrant, in an electronic database format that can be used for future surveys designed to estimate gasoline consumption by those vehicles and require the commissioner, beginning in January 2003, to obtain the name, address and phone number of nonresident boaters who operate motorboats on inland waters and who purchase a lake and river protection sticker.

The bill also proposed to require the Department of Conservation, the Department of Inland Fisheries and Wildlife and the Department of Marine Resources to update, every 5 years, their "Public Access to Maine Waters Strategic Plan" and their snowmobile and ATV needs assessment. Reports on the Public Access to Maine Waters Strategic Plan must be submitted jointly to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters and the joint standing committee of the Legislature having jurisdiction over marine resource matters and reports on snowmobile and all-terrain vehicle needs assessments must be submitted jointly to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters and the joint standing committee of the Legislature having jurisdiction over public recreation matters beginning in January 2005, and every 5 years thereafter.

Committee Amendment "A" (H-1054), which was adopted, proposed to remove the survey requirements and readjust the percentages of gasoline tax revenue attributable to motorboats, snowmobiles and ATVs to provide a \$750,000 increase over current funding levels for years starting on July 1, 2003 to June 30, 2005. After June 30, 2005, the percentages established by this amendment would be applied to the current total gasoline tax revenue to determine the amount attributable to motorboats, snowmobiles and ATVs. This amendment also proposed to remove the requirement that 50% of the ATV gasoline tax revenue increase be used for enforcement purposes and make this bill effective July 1, 2003.

It also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 693 sets the percentages of gasoline tax revenue attributable to motorboats, snowmobiles and ATVs to provide a \$750,000 increase over current funding levels for years starting on July 1, 2003 to June 30, 2005. After June 30, 2005, the percentages established by this law will be applied to the current total gasoline tax revenue to determine the amount attributable to motorboats, snowmobiles and ATVs. Public Law 2001, chapter 693 also requires the Department of Conservation, the Department of Inland Fisheries and Wildlife and the Department of Marine Resources to update, every 5 years, their "Public Access to Maine Waters Strategic Plan" and their snowmobile and ATV needs assessment.