

# MAINE STATE LEGISLATURE

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*State Of Maine  
121st Legislature*

*First Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Inland Fisheries and Wildlife*

*July 2003*

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# Maine State Legislature



## Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

### 121st Maine Legislature First Regular Session

#### Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint 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](http://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>CARRIED OVER PURSUANT TO HP 1212</i> .....	<i>Bills carried over to the 2<sup>nd</sup> Regular Session</i>
<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 &amp; 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>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; 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 that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

**David C. Elliott, Director**  
Offices located in Room 215 of the Cross Office Building

*Joint Standing Committee on Inland Fisheries and Wildlife*

**LD 359**

**An Act Relating to ATV Registration**

**PUBLIC 189  
EMERGENCY**

<u>Sponsor(s)</u> FINCH	<u>Committee Report</u> OTP-AM MAJ ONTP MIN	<u>Amendments Adopted</u> H-130
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LD 359 proposed to restrict reciprocity in the registration of all-terrain vehicles to citizens of the State of New Hampshire and the Province of New Brunswick.

**Committee Amendment "A" (H-130)**, which was the majority report of the Joint Standing Committee on Inland Fisheries and Wildlife, proposed to replace the bill and change the title to reflect the content of the amendment. This amendment proposed to:

1. Repeal the reciprocity provision relating to ATV registration;
2. Impose a temporary \$3 fee on all ATV registrations for the registration periods beginning July 1, 2003 and July 1, 2004. The temporary fee would be credited to the ATV Recreational Management Fund of the Department of Conservation;
3. Modify language relating to the ATV law enforcement grant-in-aid program to remove reference to funding for the program coming from the ATV Recreational Management Fund;
4. Add an appropriation section to the bill relating to the increased revenues created by the amendment and appropriate \$50,000 to the Department of Inland Fisheries and Wildlife to restore funding for operational costs; and
5. Add an emergency preamble and emergency clause to the bill.

***Enacted Law Summary***

Public Law 2003, chapter 189:

1. Repeals the reciprocity provision relating to ATV registration;
2. Imposes a temporary \$3 fee on all ATV registrations for the registration periods beginning July 1, 2003 and July 1, 2004. The temporary fee is credited to the ATV Recreational Management Fund of the Department of Conservation. (This fee is in addition to the temporary fee increase imposed by the Part I budget bill; the net result is a resident ATV registration fee of \$33 and a nonresident ATV registration fee of \$68 for the registration periods beginning in July 1, 2003 and July 1, 2004);
3. Modifies language relating to the ATV law enforcement grant-in-aid program to remove reference to funding for the program coming from the ATV Recreational Management Fund; and
4. Appropriates \$50,000 to the Department of Inland Fisheries and Wildlife from increased revenues generated by this law to restore funding for operational costs.

## *Joint Standing Committee on Inland Fisheries and Wildlife*

Public Law 2003, chapter 189 was enacted as an emergency measure effective May 16, 2003.

**LD 368**                      **An Act To Increase the Registration Fee for ATVs**                      **ONTP**

<u>Sponsor(s)</u> FINCH		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 368 proposed to increase the annual registration fee for an ATV from \$17 to \$25 for a resident and from \$35 to \$45 for a nonresident. (See LD 359.)

**LD 369**                      **An Act To Create a Closed Season for ATV Use**                      **ONTP**

<u>Sponsor(s)</u> FINCH		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 369 proposed to prohibit a person from operating an ATV during the period from April 1st to May 15th.

**LD 370**                      **An Act To Change the Display of ATV Registration Numbers**                      **ONTP**

<u>Sponsor(s)</u> FINCH		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 370 proposed to require the Department of Inland Fisheries and Wildlife to issue ATV registration decals and provide applicants for ATV registration with certain information regarding ATV registration, use and laws.

**LD 388**                      **An Act To Permit Small Game Hunting on Private Property on Sunday in Unorganized Territory**                      **CARRIED OVER**

<u>Sponsor(s)</u> MCGLOCKLIN BRYANT		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 388 proposed to allow the Department of Inland Fisheries and Wildlife to authorize a private landowner owning a continuous piece of property that is greater than 500 acres and located entirely within unorganized territory to open that property on Sunday to hunters who have permits to hunt on Sunday. It would not allow the Commissioner of Inland Fisheries and Wildlife to authorize private property for Sunday hunting if the property owner did not keep that property open to hunting by the public. It would allow the commissioner to issue Sunday hunting permits to hunt rabbit and grouse on authorized private property during the regular open season. It would not allow the commissioner to authorize private property for Sunday hunting if that property adjoins certain public property. The bill proposed to make the fee for a Sunday hunting permit \$15.

The bill proposed to set an effective date of January 1, 2004 and a repeal date of January 1, 2006.