

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).

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 2nd 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 & 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&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 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
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Joint Standing Committee on Inland Fisheries and Wildlife

LD 860

An Act To Allow Smelt Fishing in Long Lake in Aroostook County

PUBLIC 336

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMITH W MARTIN	OTP-AM MAJ ONTP MIN	H-341

LD 860 proposed to allow smelt fishing by use of a dip net on that part of Long Lake and its tributaries in Township 17, Range 3, Aroostook County. The bill also proposed to set the bag limit at 2 quarts per person.

Committee Amendment "A" (H-341) is the majority report of the Joint Standing Committee on Inland Fisheries and Wildlife and proposed to replace the bill. It would allow the recreational harvest of smelt on certain portions of Long Lake and proposed to make a violation of the daily bag limit a Class E crime. It also proposed to make the commercial harvest of smelt in those portions of Long Lake a Class D crime with a minimum fine of \$1,000. The authority to harvest smelt under this amendment would be repealed December 31, 2005.

Enacted Law Summary

Public Law 2003, chapter 336 allows for the recreational harvest of smelt on portions of Long Lake until December 31, 2005. It makes exceeding the daily bag limit a Class E crime and the commercial harvests of smelt in those portions of Long Lake a Class D crime with a minimum fine of \$1,000.

LD 867

An Act To Waive the Fee for Fishing Licenses for Disabled Persons

ONTP

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

LD 867 proposed to amend the law allowing blind residents free fishing licenses by allowing any blind or disabled person a free fishing license.

LD 875

An Act To Promote and Advance Wild Ring-necked Pheasant Propagation

**PUBLIC 139
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
USHER CARPENTER	OTP-AM	H-129

LD 875 proposed to establish a hunting season for male pheasants only and would direct the Commissioner of Inland Fisheries and Wildlife to immediately create 2 hunting seasons, one in the spring and one in the fall, to hunt male pheasants in the coastal area from Kittery to Bath.

Committee Amendment "A" (H-129) proposed to remove language from the original bill that authorizes a spring pheasant hunt and would clarify that a person who takes a female pheasant commits a Class E crime.

Joint Standing Committee on Inland Fisheries and Wildlife

Enacted Law Summary

Public Law 2003, chapter 139 prohibits the taking a female pheasant in certain areas of the State and directs the Commissioner of Inland Fisheries and Wildlife to create a fall hunting season for male pheasants in the coastal area from Kittery to Bath.

Pubic Law 2003, chapter 139 was enacted as an emergency measure effective May 14, 2003.

LD 888 **An Act To Establish a Season for Hunting Deer with Primitive Muzzle-loading Firearms** **ONTP**

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

LD 888 proposed to define "primitive muzzle-loading firearm" and proposed to create a special primitive muzzle-loading hunting season for deer from the 10th Monday preceding Thanksgiving Day to the 9th Monday preceding Thanksgiving.

LD 932 **An Act To Amend the Season for Laying Bait for Bear** **ONTP**

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

LD 932 proposed to separate the season for placing bait for bear from the season for hunting bear with dogs.

LD 953 **An Act To Exempt Children under 17 Years of Age from Certain Fishing Restrictions** **ONTP**

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

LD 953 proposed to allow children under 17 years of age to fish using any legal fishing technique in any state waters open to fishing.